INVENTORY OF THE COUNTY ARCHIVES OF MINNESOTA

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WORKS PROGRESS ADMINISTRATION

INVENTORY OF THE COUNTY ARCHIVES OF MINNESOTA

Prepared by

The Historical Records Survey
Division of Women's and Professional Projects
Works Progress Administration

NO. 70. SCOTT COUNTY (SHAKOPEE)

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Saint Paul, Minnesota
The Historical Records Survey
January 1939

The Historical Records Survey

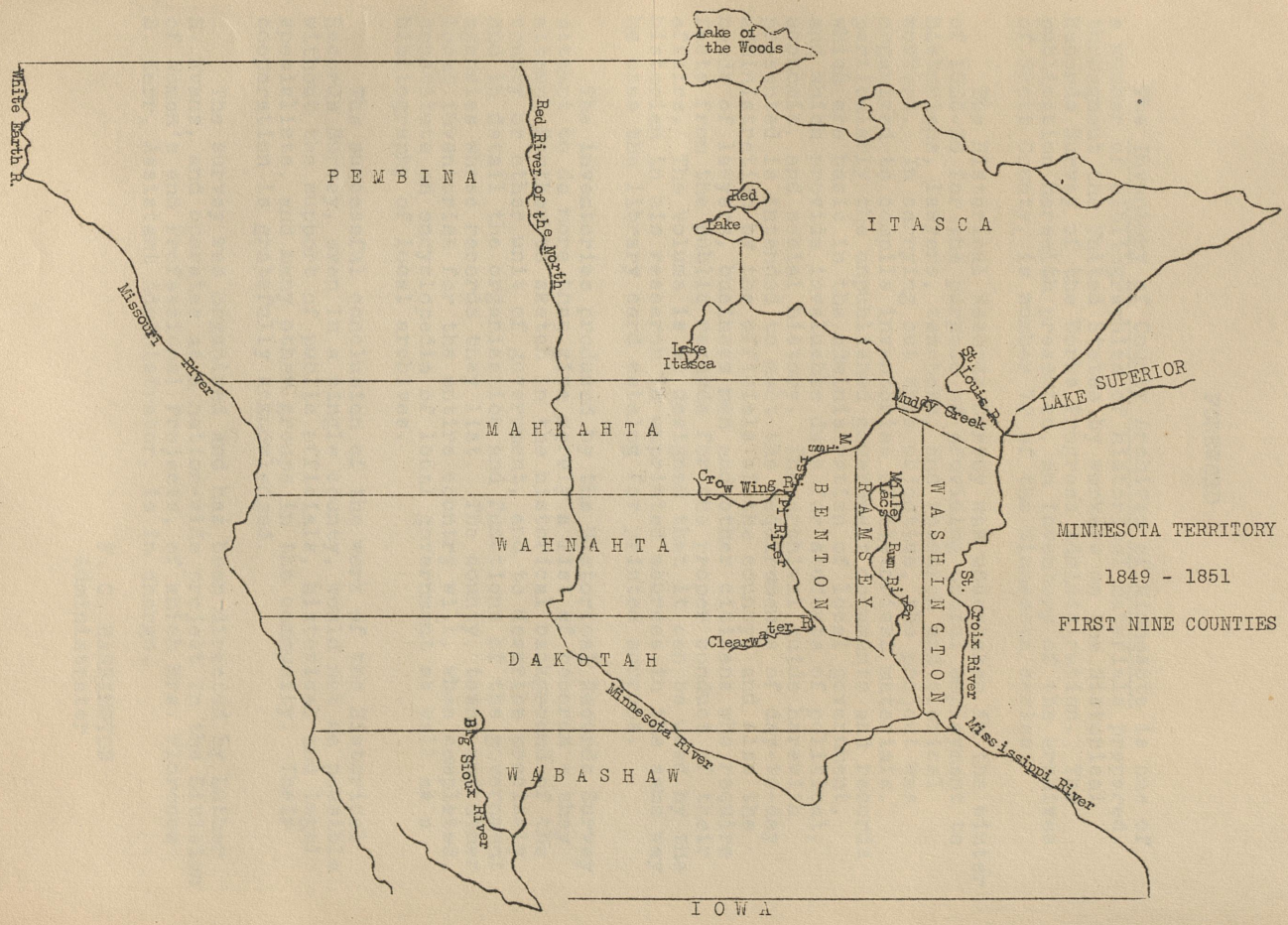
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MINNESOTA TERRITORY

1849 - 1851

FIRST NINE COUNTIES

FOREWORD

The Inventory of County Archives of Minnesota is one of a number of bibliographies of historical materials prepared throughout the United States by workers on the Historical Records Survey of the Works Progress Administration. The publication herewith presented, an inventory of the archives of Scott County, is number 70 of the Minnesota series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by the Historical Records Survey attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town, and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of the Historical Records Survey, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The survey was organized and has been directed by Luther H. Evans, and operates as a nation-wide project in the Division of Women's and Professional Projects, of which Mrs. Florence S. Kerr, Assistant Administrator, is in charge.

F. C. HARRINGTON
Administrator

PREFACE

A survey of county archives was begun by the Minnesota Historical Society as far back as 1917, at which time the records of 14 counties were listed. The survey was revived in 1934 under the Civil Works Administration and continued for three weeks until that administration closed at the end of March. It was organized in January 1935 under the Emergency Relief Administration and operated until the end of July of that year, during which time 45 counties were surveyed.

In the fall of 1935 a state-wide historical project, under the sponsorship of the Minnesota Historical Society, Dr. Theodore C. Blegen, Superintendent, and operated by the Works Progress Administration, was organized not only to continue the survey of county archives but to make inventories of municipal, township, and school district archives, and the records of churches, cemeteries, fraternal, and other organizations, and to gather historical material of various kinds.

The Historical Records Survey project, sponsored by the Works Progress Administration and under the national direction of Dr. Luther H. Evans, was organized in the state in March 1936. This project and the previous state historical survey project operated as a unit to continue the survey of archives and other historical materials. Under this program the county archives were listed in the unfinished counties in 1936 and early 1937. The state project was terminated in February 1938, and the survey has been continued by the federal project.

In order to secure uniformity in the publications it was decided, in May 1937, to use the forms prepared by that organization and to enlarge the information secured on the early surveys to conform to publication requirements. A recheck of county records to secure the additional information and bring the inventories up to date was begun in June 1937.

The immediate objective is the publication of a series of county archives inventories, one number for each county. The county numbers are prepared as the recheck is completed. In Scott County this recheck was done from June 7 to July 30, 1937. The 87 counties of Minnesota are numbered in alphabetical order. The number appearing with the name of the county on the title-page is the number of the county in this arrangement and not an indication of the order of publication.

Preface

The field workers on the recheck in Scott County were Lyla Hallgrain, Grayce Wallace, and Paul Larson. The historical introductions were written by Elva Livingston and other members of the editorial staff.

Acknowledgment is made of the cooperation of the county officials on these surveys and of others who have contributed to the success of the enterprise.

Requests for additional copies of this publication may be addressed to Dr. Theodore C. Blegen, Superintendent, Minnesota Historical Society, St. Paul.

Jacob Hodnefield, State Director
Historical Records Survey

December 15, 1938

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HISTORICAL SKETCH

Scott County, with an area of 375 square miles, is located southeast of the central part of Minnesota, bordering on the southeast bank of the Minnesota River. It was named for General Winfield Scott, officer of the War of 1812, commander-in-chief of the United States Army during the Mexican War, and unsuccessful Whig candidate for the presidency in 1852. General Scott never visited the area which was to be named for him, but in 1824 he was only a few miles away when he made an official inspection of Fort Snelling.

The chief communities of the county are Shakopee, (population 2,023; platted in 1854, incorporated as a city in 1857, reincorporated as a city in 1870); New Prague (partly in Le Sueur County, population 1,543, founded in 1856, incorporated as a village in 1877, as a city in 1891); Belle Plaine (the only borough in the state) founded in 1854, incorporated as a borough in 1873); and Jordan (population 1,119, platted in 1854, incorporated as a village in 1872, and as a city in 1891).

Other railroad points or neighborhood centers are Barden, Blakely, Eidswold, Elko, Lydia, Marystown, Merriam Junction, New Market, Prior Lake, and St. Patrick. Grainwood is a summer resort, and Mudbaden a health resort. Savage, formerly a horse training and racing center, is now the site of a transient relief camp.

Scattered along the Minnesota bluffs are numerous artificial symmetrical mounds of earth, mostly round and of varying size, which are evidence of the occupancy of the area for untold centuries by a primitive people, Indian-like in their mode of life, and possibly the immediate ancestors of the Indians found in the region by the first white explorers. Especially interesting is an isolated group of mounds consisting of four embankments and effigies representing birds with wings spread out like sailing hawks. This group doubtless belongs to the same period as the mounds on the river bluffs. (1)

For many generations the present site of Shakopee, the county seat, was the site of a Sioux village which was ruled by a hereditary line of chiefs, bearing the name of Shakpay or Shakopee (six). The first of these chiefs of whom we have written mention was Le Demi Douzen (the half dozen) who attended

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(1) Newton H. Winchell, Aborigines of Minnesota, 187, 195.

the conference with Zebulon M. Pike at the mouth of the Minnesota in 1805. At the time of the arrival of the first settlers, the Shakopee village, Tintonwan, Tintaton, or Teen-tah-o-ton (the village on the prairie) numbered about eight hundred souls.

Several early Minnesota explorers followed the Minnesota River westward, thus passing along the northwest boundary of what is now Scott County.

The first was probably Pierre Charles Le Sueur, a Canadian-born Frenchman. Le Sueur was at Fort St. Antoine, on the east shore of Lake Pepin, with Perrot in 1689, and was one of the witnesses to the proclamation claiming the entire upper Mississippi valley in the name of the King of France. In 1695 he erected a fort on Prairie Island near Red Wing. There he heard, from the Indians, of an unusual deposit of blue and green earth in the western part of the Minnesota valley. Hopeful of discovering valuable minerals he sailed up the Minnesota late in 1700, established a fort near what is now Mankato, and started mining. In the spring he returned to France with two tons of what he believed to be copper-bearing ore. When he reached there he found that his cargo was only worthless blue clay.

Jonathan Carver, a Connecticut Yankee, exploring under British auspices, spent the winter of 1766-67 with the Sioux Indians on the Minnesota River, possibly in the vicinity of New Ulm or St. Peter. Peter Pond, also a native of Connecticut, traded with the Indians in the same vicinity in 1773-75, and at least one French trader was near him. In the succeeding decades other traders located along the river, and as early as 1820 the valley became a highway of traffic between what is now Fort Snelling and the Selkirk colony on the Red River near the Canadian border.

Major Stephen H. Long, William H. Keating, Thomas Say, and others, with soldiers, guides, and guests, and acting under orders from the War Department, went up the Minnesota and down the Red River in 1823. Giacomo C. Beltrami, a romantic Italian exile, accompanied them a part of the way.

Other famous early explorers of the valley were George W. Featherstonhaugh, an Englishman, who with William W. Mather, made a "geological reconnoissance" of southwestern Minnesota for the government in 1835; George Catlin, the famous painter of Indian subjects, who with Robert S. Wood, an Englishman, examined the famous pipestone quarries in 1836, despite the

warnings and threats of the Indians; and Joseph N. Nicollet who in 1836 had explored the ultimate sources of the Mississippi and who in 1838 explored the southwestern part of the state and visited the pipestone quarries. Among the men in Nicollet's party was John C. Fremont, who later was called "the pathfinder", and who was to explore the Rockies and the Pacific coast, to serve as a general in the Mexican and Civil wars, and to run for president as the first Republican candidate in 1856. Nicollet's map published in 1843 was the first correct map of the Minnesota area. (2)

Traders and missionaries located at or near the village of Chief Shakopee at early dates. Oliver Faribault is said to have located on the site as a trader in 1844. His father, Jean Baptiste Faribault, for whom a Minnesota county is named, had a post at Little Rapids above Carver as early as 1803. Hazen Mooers was engaged as a trader in the Shakopee vicinity in the late forties. His son John was appointed government farmer to the Indians here. The Reverend Samuel W. Pond, who with his brother, Gideon H., came to Minnesota as a missionary in 1834, settled at Shakopee in 1847. His home was the first frame building in the valley. Thomas A. Holmes, a well known town-site promoter, opened a trading store on the site of Shakopee in 1851 and he is credited with being the actual founder of the city. With him came John McKenzie and Emerson Shumway to help build the cabin. Assistance was also given by Daniel Apgar who arrived before it was completed. These men were soon joined by John C. Sommerville, Arnold Graffenstatt, and R. Lewis.

Not long after Holmes arrived, David Faribault attempted to start a rival settlement about a mile and half farther east. A few French and mixed blood families gathered about him and built a few cabins, but the effort was short lived.

After taking a claim near the town Daniel Apgar went back east, returning in the spring of 1852 with his wife. His brother Ai G. Apgar and wife, his father and mother, Mr. and Mrs. Samuel Apgar, their four young children, and a friend, Harrison Raynor, arrived in October.

Other arrivals of 1852 were David L. Fuller (who had visited the region the previous year), Joseph Graffenstatt, Alvin Dorward, Abraham Bodnaman, Benjamin F. Turner, Henry Marclay, Edward Smith, William Holmes, David Kinghorn, Thomas S. Turner,

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(2) Theodore C. Blegen, Building Minnesota, 31-97; William Watts Folwell, A History of Minnesota, 1:38-72, 89-130.

Comfort Barnes, Peter Atwood, Timothy Canty, Baptiste Le Beau, and John Barclay. Beginning in 1854, the influx of settlement increased rapidly. Many of the early settlers, as may be seen by their characteristic Yankee names, were typical Americans from the older states. Later the Germans, Irish, Bohemians, and Scandinavian immigration was to be an important factor in the progress of the county.

An excursion party from Fort Snelling went up the Minnesota by steamboat to Shakopee's village in June 1842, and in 1850 three boats carried excursions upstream and "demonstrated the navigability of the Minnesota River". By 1854 the number of steamboat arrivals and departures at St. Paul from the Minnesota River reached the hundred mark, and almost four times that number were recorded in 1858.

The greater part of southern Minnesota was opened to settlement by treaties with the Sioux Indians signed at Mendota and at Traverse des Sioux, near St. Peter, in 1851 and proclaimed by President Millard Fillmore in 1853. The Indians were moved to a reservation on the upper river. Many of them, however, continued to return to their old hunting grounds during the summer months. About 150 members of Shakopee's band were camped near the village that bears his name in May 1858 when they were attacked by hostile Chippewa. A bloody battle followed, and the Chippewa finally retreated, leaving for their homes to the north. This was the last of a long series of conflicts between the two great Indian tribes of Minnesota.

The area of Scott County was not involved in the great Sioux Outbreak of 1862. One of the leaders of the Indians, however, was Little Six who had become chief of the band in 1860. This chief and Medicine Bottle, were captured by John McKenzie who helped build the Holmes cabin, and were hanged at Fort Snelling in 1863 for the murder of Philander Prescott during the outbreak. (3)

Scott County was established by an act of the legislature on March 5, 1853. The boundaries coincided roughly with the

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(3) Information as to the early days of Scott County is found in William Hinds, A Sketch of Shakopee, Minnesota, Shakopee, Minnesota, 1891; Julius A. Coller II, The History of Shakopee, Minnesota, 1862-1930, The Shakopee Printing Company, Shakopee, Minnesota, 1933. The county nomenclature appears in: Warren Upham, Minnesota Geographic Names, 507-512.

present boundaries but included a considerable area to the south. (4) On February 20, 1855, the area was greatly reduced. The southern boundary was established as at present. It was the intention that the eastern boundary should follow the range line between 20 and 21 west, but as the description differed from the description of the western boundary of Dakota County in an act passed at the same time, the question was still unsettled. The river remained the other boundary. (5) On May 23, 1857, the county was enlarged by an act of the territorial legislature which attached to Scott County that part of Carver County lying north of the river in section 1, township 115 north, range 23 west, which was at the same time included within the corporate limits of Shakopee. (6) The line between Scott and Dakota Counties was adjusted in 1860 but the definition was confusing. (7) In 1871, having been authorized by the legislature to pass upon the question, the people of the two counties ratified the present boundary on November 7. (8)

The first officers appointed by Governor Alexander Ramsey in 1853 were: commissioners, Thomas S. Turner (chairman), Franklin Wasson, and Comfort Barnes; sheriff, Ai G. Apgar; justice of the peace, Daniel Apgar. At the first meeting which was held on April 29, 1853, in a stone building, the county board named Daniel Apgar, judge of probate, and William H. Nobles, county surveyor. It also made Scott County one election precinct and ordered that an election be held at the home of Franklin Wasson in Shakopee. (9)

This election held on the second Tuesday of October 1853, resulted as follows: commissioners, Samuel Apgar, Franklin Wasson, and Comfort Barnes; register of deeds and county surveyor, William H. Nobles; sheriff, Ai G. Apgar; treasurer, H. H. Spencer; judge of probate, Daniel Apgar; attorney, Luther M. Brown. E. A. Greenleaf was appointed clerk of the district court in the summer of 1853. (10)

The county was divided into three assessment districts by the county commissioners on January 2, 1854, and David Kinghorn,

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(4) Laws, 1853, 33, ch. 11, sec. 5.
(5) Laws, 1855, 25, ch. 6, sec. 10; 70.
(6) General Laws, 1857 extra session, 97-99, ch. 23.
(7) Special Laws, 1860, 59, ch. 32, sec. 1.
(8) General Laws, 1871, 163, ch. 97, sec. 1.
(9) County Commissioners' Proceedings, A:2.
(10) County Commissioners' Records, A:5; Edward D. Neill, History of the Minnesota Valley, 290.

Harrison Raynor, and Thomas S. Turner, were appointed assessors. (11)

The system of county government in Minnesota was reorganized by the township act passed by the legislature in 1858. (12) In anticipation of the act, the Scott County commissioners met on April 5, and established twelve townships. (13) On July 5, 1858, the chairmen of the twelve townships, who under the new system were to constitute a board of county supervisors, held their first meeting on July 5, 1858. (14) The supervisor system proved cumbersome and the commissioner system was resumed in 1860. (15)

The records of the county show a quitclaim deed issued as early as June 4, 1853. A bond to convey a claim was recorded October 6, 1854. The first patent shown in the U. S. Land Office Register is dated August 16, 1855. Prominent names found in the early records are: Daniel W. Storer, E. A. Greenleaf (a clergyman), Ai G. Apgar, Harmon H. Strunck (druggist), Franklin Wasson, F. M. Brown (attorney), A. G. Chatfield (district judge), Arnold Graffenstatt, Samuel Apgar, Benjamin F. Davis, Spier Spencer, Daniel Apgar, Harrison Raynor, John Le Beau, Joseph Gelhage, Comfort Barnes, Sr. and Jr., and Harriet Sencerbox.

The county seat was established in Shakopee in 1854, and block 56 was donated by D. L. Fuller and Thomas Holmes to be used for public buildings. The county seat has since remained at Shakopee, although several attempts have been made to remove it to Jordan or Lydia. (16)

The first lists of grand and petit jurors were drawn by the county commissioners on August 15, 1853. The county was still sparsely settled and the board failed to find enough available names for the required fifty grand jurors and seventy-two petit jurors, so a list of twenty-four names for the grand jury, and thirty-two for the petit jury, was prepared. The names are interesting as they are those of men who were substantial and even prominent figures in both private and public life.

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(11) County Commissioners' Records, A:12.
(12) General Laws, 1858, 190-227, ch. 75, secs. 1-24.
(13) County Commissioners' Records, A:230.
(14) County Commissioners' Records, A:247.
(15) General Laws, 1860, 130-141, ch. 15.
(16) County Commissioners' Records, A:13; B:9, 31; L:370, 425, 539; Special Laws, 1872, 416; Belle Plaine Herald, October 20, 1927, 2.

The grand jury list: Thomas S. Turner, John W. Waters, Steven Storm, John Burnham, Asa Wells, Henry Corkins, Barney Young, Samuel Hamond, William Holmes, Thomas A. Holmes, Henry H. Spencer, Spier Spencer, John Hare, Franklin Wasson, Henry J. Koons, Daniel Apgar, L. W. Brigham, John Carlinger, David Faribault, Thomas Kennedy, George Kinghorn, and David Kinghorn. The petit jury list: John Bakley, Comfort Barnes, Mathew Tailly, Samuel Apgar, Arnold Graffenstaät, Baptiste Le Beau, Oliver Peltey, Joseph Graffenstadt, Benjamin W. Turner, John W. Turner, Alles Dorward, Barney Doud, James Mitchel, John Smith, John C. Somerville, Lyman Ruby, Samuel Pond, John Dorman, Samuel Burnham, John Mooers, Alfred E. Traverse, William Smothers, Edwin Ball, Charles Sweet, Platt Schemerhorn, Walter West, John Bass, Edward Smith, Zeb Lavalle, Alvin Dorward, William H. Raynor, and David Ebert. (17)

A stage line was established between St. Paul and Shakopee in 1853, and a ferry across the river at Shakopee opened the same year. H. A. Holmes was appointed postmaster at Shakopee on December 10, 1854, but the office was not opened until a month later. The Shakopee Independent was established in 1854. (18) The first petition for a school district was granted by the county commissioners on July 2, 1855; (19) the first sale of tax delinquent real estate was in April 1858; (20) and the first license for an auctioneer was issued by the board on May 12, 1862. (21) Early churches at Shakopee, the first in the county, were: the Methodist Episcopal, organized in 1853; St. Peter's Episcopal and St. Mark's Catholic, organized in 1854; the Presbyterian by the Rev. Samuel W. Pond in 1855; and St. John's Evangelical Lutheran in 1859.

In August 1862, the county commissioners of Scott County appropriated $10,000 as a fund to encourage enlistment in the United States Volunteer Army. (22)

The legislature of 1877, to curb extravagance in the counties and to protect taxpayers who in many areas had suffered a series of crop failures as the result of grasshopper raids, passed a law which limited the tax levy to five mills in all counties where the total valuation was over $1,000,000. (23)

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(17) County Commissioners' Records, A:6, 7. The spellings are as given in the records.
(18) Hinds, A Sketch of Shakopee. Op. Cit. 32-34.
(19) County Commissioners' Records, A:39.
(20) County Commissioners' Records, A:234.
(21) County Commissioners' Records, B:166.
(22) County Commissioners' Records, B:172, 173.
(23) General Laws, 1877, 33.

This restriction provoked a lively discussion at the meeting of the Scott County commissioners on August 4, 1877, after which the following entry was made in the minutes: "The commissioners under the above restriction came to the conclusion that the poor ought to starve; no more roads and bridges be built; courts, grand and petit jurors, witnesses, and deputy sheriffs be abolished, and retrenchment in all contrivable and imaginary shapes be introduced. Look out tax payers, a Glorious time is coming. Retrenchment and Reform." (24)

The river, and the trails which gradually emerged as highways, were the only routes of transportation for nearly two decades after the real settlement of the county began. A railroad through the county was projected, however, as early as March 2, 1855, when a charter was granted to the Root River Valley and Southern Minnesota Railroad Company. One of its routes was from the Twin Cities to Shakopee, thence up the valley, crossing the Minnesota River at St. Peter, to Mankato, and thence to the Iowa line. The name was changed to the Southern Minnesota Railroad in 1857. Nearly forty miles had been graded up the valley from Mendota when the financial panic of 1857 put an end to further construction. The Minnesota Valley Railroad on March 4, 1864, succeeded the Southern Minnesota, and started work on the old road bed. The construction train drawn by old number 1 engine, the "Mankato", reached Shakopee on November 11, 1865, and regular traffic was opened between that town and Mendota five days later. In 1869 the name was changed to the St. Paul and Sioux City Railroad Company. That year a bridge was built across the Mississippi near Mendota. Le Mars, Iowa, was reached in 1871 and there connection was made with the Iowa Falls and Sioux City railroad at Sioux City. The line is now a part of the Chicago, St. Paul, Minneapolis, and Omaha system.

The first railroad shops of the Minnesota Valley Company were opened at Shakopee in 1867. They were destroyed by fire in 1872 entailing a loss of $100,000, but were at once rebuilt. The machine shops were removed to St. Paul in 1882. A new car shop was erected that year, but this too was discontinued in 1883, and the machinery and some of the men were transferred to Hudson, Wisconsin.

In 1870, the St. Paul and Sioux City Railroad, now the Minneapolis and St. Louis Railway Company, was built from Minneapolis to Merriam Junction and southward.

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(24) County Commissioners' Records, ~~Bxkxx~~. E:50.

The following year the Hastings and Dakota, now a part of the Chicago, Milwaukee, St. Paul, and Pacific Railroad, was put through the county forming a junction with the Omaha at Shakopee. With a change at the eastern terminus this road followed a route not differing greatly from that surveyed for the Nininger, St. Peter, and Western Railroad in 1857. (25)

The extreme southeastern part of Scott County is crossed by the Wells branch of the Southern Minnesota Division of the Chicago, Milwaukee, St. Paul, and Pacific.

From 4,595 in 1860 the population of Scott County increased to 14,116 in 1930. The people are predominately native born. The foreign born population in 1930 numbered 1,230 and included 579 Germans, 286 Czechoslovakians, 95 Norwegians, 44 Swedes, 34 Irishmen, 32 Canadians, 26 Danes, 22 Russians, 21 Austrians, 12 Hollanders, 12 British, 12 Swiss, 10 Poles, and 44 of other nationalities. (26)

Scott County is almost exclusively agricultural, 2,631 of its people being employed in farm work and many more in allied industries closely related to it. The early settlers first raised food for their own families and fodder for their stock, with perhaps a little surplus to sell or barter for such food, staples, clothing, and supplies as they could not produce. Soon wheat was the principal crop, although the acreage of corn and potatoes increased and there was a growing interest in dairy cattle, oxen, and swine. In 1879, Scott County led the state in the production of flax. About that time, coincident with a diminishing yield per acre of wheat, attention was turned more and more to diversified farming, a trend which was particularly marked after the introduction of cooperative creameries in the nineties.

Nearly ninety percent of the area of the county is in farms, and in 1934, 128,882 acres were available for crops. In 1934 the principal field crops were corn and oats, but enough winter wheat was raised to give the county third place in the state in acreage of that cereal. Major attention is paid to cattle and swine raising, and dairying. In 1935, the county had 30,965 cows and calves, 21,168 swine, and 2,496 sheep and lambs. (27) For a period the sugar beet crop was important but the acreage has gradually declined. The raising of a newly developed

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(25) Frank R. Holmes, Minnesota in Three Centuries, 4:337-353.
(26) U. S. Bureau of Census, Population Bulletin, 1930, 3:1221.
(27) U. S. Bureau of Census, U. S. Census of Agriculture, 1935, 1:224-232.

variety of corn and peas for canning has already reached considerable proportions and is constantly growing.

The principal industrial establishments in the county are flour mills, breweries, creameries, print shops, a wagon shop, a bottling works, a foundry and range factory, a lime kiln, and a brickyard.

The 2,304 people gainfully employed in other activities than agriculture are distributed as follows: professional and semi-professional services, including 39 in recreation and amusement services, and 37 in public service not otherwise classified, 382; wholesale and retail trade except automobiles, 369; personal and domestic service, including 69 in hotels, restaurants, and boarding houses, and two in cleaning and pressing service, 278; transportation and communication, including 83 employed by railways, 58 employed by telephone and telegraph companies, and 34 in the postal service, 223; building industry, 171; iron and steel industries, 145; food and allied industries, including 13 in bakeries and two in slaughter and packing houses, 122; independent hand trades, 84; steam railway service, 83; garages, filling and greasing stations, repair shops, automobile agencies, etc., 120; maintenance of streets and highways, 47; banking and brokerage, 33; insurance and real estate, 16; printing and allied industries, 21; clay and stone industries, 18; saw and planing mills, 8; clothing industries, 7; forestry and fishing, 5; extraction of minerals, 3; other specified trades and industries, 54; industry not specified, 183. (28)

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(23) U. S. Bureau of Census, Population Bulletin, 1930, 3: 1227.

(First entry, p. 80)

GOVERNMENTAL ORGANIZATION AND RECORDS KEEPING

The county, with its equivalent shire, is an English institution which dates from before the Norman conquest. Each shire began as a group of neighbors with more or less common interests, and the nation, when it emerged, was a union of these hitherto independent units. The first English settlers in America had been reared in the tradition of the county as a district for the administration of justice, and they brought with them the idea of sheriff, coroner, and quarter-sessions.

In different colonies the county took on a varying pattern. In New England the important unit of government was the town. The county was an artificial and loosely knit union of towns. In Virginia the important unit was the county, while the "hundreds" which made up the county were merely church parishes. Towns and town meetings in any form were unknown there.

It was Pennsylvania that furnished the model of county government which has been followed by most of the territories and states since the Revolution. A noteworthy feature of the Pennsylvania program was the general election of county officers by popular vote. The county was the unit of representation in the colonial legislature, and in electing their representatives the counties at the same time voted for their sheriffs, coroners, assessors, and county commissioners. (1)

Counties and townships were an important feature in the government of the Northwest Territory; (2) and Minnesota inherited the general plan through Indiana, (3) Illinois, (4) Michigan, (5) and Wisconsin, (6) of which territories, as well as of Louisiana, (7) Missouri, (8) and Iowa, (9) the state has

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(1) John Fiske, Civil Government of the United States, 57-59, 75-78.
(2) An Ordinance for the government of the territory of the United States northwest of the river Ohio, (the Northwest Ordinance, 1787) art. 1, secs. 7-10. For boundaries, which included Minnesota, see ibid., art. 5.
(3) U. S. Statutes at Large, vol. 2, 58.
(4) U. S. Statutes at Large, vol. 2, 514.
(5) U. S. Statutes at Large, vol. 2, 309; vol. 3, 428; vol. 4, 701.
(6) U. S. Statutes at Large, vol. 5, 18.
(7) U. S. Statutes at Large, vol. 2, first session, 283, ch. 38; vol. 2, second session, 331, ch. 31.
(8) U. S. Statutes at Large, vol. 2, 743, ch. 95.
(9) U. S. Statutes at Large, vol. 5, 235.

in whole or in part, been a portion. County jurisdiction over any part of the future Minnesota was first declared on October 26, 1818, when Crawford County, Michigan Territory, was created with the Mississippi River as its western boundary. (10)

The Territory of Minnesota was organized by an act of Congress passed on March 3, 1849. By this organic act the inhabitants of the new territory were accorded the same rights and privileges that had previously been secured to the inhabitants of the Territory of Wisconsin.

The laws of the United States were extended over and declared to be in force in the territory so far as such laws and their provisions were applicable. All laws in force in the Territory of Wisconsin at the date of the admission of the State of Wisconsin were to continue to be valid and operative in the Territory of Minnesota so far as such laws were not incompatible with the organic act, subject nevertheless to alteration, modification, or repeal by the governor and legislative assembly. The act also established the judiciary system, and provided that all suits, processes, and proceedings at law within the Territory of Minnesota and pending in the courts of Wisconsin be transferred to the district courts of the new territory. Sheriffs, constables, justices of the peace, and other judicial and ministerial officers who had served the Territory of Wisconsin were continued as officers under the Territory of Minnesota until their successors should be chosen and qualified. County officers were to be appointed or elected in such manner as the governor or legislative assembly provided. (11)

The first legislative assembly, which convened in the fall of 1849, continued a number of the Wisconsin laws, (12) discarded some, and added others. These laws of 1849 were simplified, condensed, arranged, amplified, repealed, reenacted, or consolidated by the Revised Statutes passed by the second session of the legislative assembly of Minnesota which met in January 1851.

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(10) Michigan Territorial Laws, 328. William Watts Folwell, A History of Minnesota, 1:131; John S. Gregory, "Old Crawford County" in Southwestern Wisconsin, 1:5, 159.

(11) U. S. Statutes at Large, 9:403-409, ch. 121; (organic act also found in successive volumes of the Legislative Manual of the State of Minnesota and in volumes of the compiled statutes.)

(12) Laws, 1849, 106-160, chs. 44-72.

The Revised Statutes were to take effect from the first day of September 1851. (13)

An early act of the first assembly provided for the elective county offices of sheriff, register of deeds, treasurer, judge of probate, coroner, three county commissioners, and three assessors, and also provided for two constables and two justices of the peace for each election precinct. (14) The sheriff, the register of deeds, the clerk of the county board, and the clerk of the district court, (15) the judge of probate, (16) and the treasurer, (17) were required to keep their offices at the county seat of the respective counties. However, the organic act provided that there should be only one clerk of the district court for each district, and that he should keep his office at the place where the court was held. (18) It was not until two years later that provision was made for the appointment in each county, by the district judge, of a resident clerk of the district court, who should maintain his office at the county seat. (19) The offices of register of deeds and clerk of the county board were held by the same man throughout territorial days. (20)

The setting aside of a county by the legislature as a geographical unit has been variously called erecting, creating, or establishing. Such an act named the county and defined its boundaries. In some cases the same act provided for the full organization of the county as a corporate political unit. In others, the county either was organized for judicial purposes only and attached to a fully organized county for governmental functions, or else was left entirely unorganized and attached to another county for judicial, taxation, or election administration. Sometimes there has been a considerable interval between the erection, creation, or establishment and the complete organization. Some counties named and defined were obliterated and never organized. All unorganized counties whose establishment

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(13) Revised Statutes, 1851, 578, 579, ch. 137, secs. 1, 4, 7, 10.
(14) Laws, 1849, 6, ch. 3, sec. 2.
(15) Laws, 1849, 110, ch. 48, sec. 1.
(16) Laws, 1849, 66, ch. 20, sec. 1.
(17) Laws, 1849, 80, ch. 22, sec. 12.
(18) U. S. Statutes at Large, 9:406, sec. 9.
(19) Revised Statutes, 1851, 83, 84, ch. 8, art. 11, secs. 1-8.
(20) Laws, 1849, 53, ch. 19, sec. 11; 75, ch. 21, sec. 1; General Laws, 1858, 205, ch. 75, art. 15, sec. 8.

was still effective in 1897 were in that year declared organized by an act of the legislature. (21)

Scott County was established and organized by an act passed by the legislature on March 5, 1853. (22)

The constitution of the State of Minnesota was adopted on October 13, 1857, (23) but Minnesota was not admitted to the Union as a state until May 11, 1858. (24) An act passed that year, providing for township organization, introduced the supervisor system of county government to replace the commissioner system. Under this plan the county board was made up of the chairmen of the townships. (25) Such a board was soon found to be cumbersome and expensive, and consequently the commissioner system was reestablished in April 1860, and the general pattern of the present county government was set. (26)

The status of the county as a body corporate and politic and the duties and functions of the elective county officers have changed but little except in matter of detail since that time. There has been, however, a steady tendency toward centralized supervision over many important functions by the state government.

The statutory elective officers of Scott County are auditor, register of deeds, coroner, sheriff, judge of probate, clerk of the district court, court commissioner, attorney, treasurer, superintendent of schools, and five county commissioners, although no one has qualified for court commissioner or surveyor for several years. They maintain their offices and transact business at Shakopee, the county seat.

Other county officers are appointed and the terms vary. The county commissioners appoint a highway engineer, an overseer of the county home, a board of health (two of the members from their own number), and a county nurse, and aid in the appointment of an agricultural agent and the five members of the county welfare board. The term of office of the members of

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(21) Laws, 1897, 122; M. B. Dunnell, Minnesota Digest, 2:344.
(22) Laws, 1853, 33.
(23) The Constitution of the State of Minnesota may be found in the successive volumes of the Legislative Manual and in various volumes of the Revised Statutes.
(24) U. S. Statutes at Large, vol. 2, 285, ch. 31.
(25) General Laws, 1858, 190-227, ch. 75, repealed, 1860, 129, ch. 14, sec. 13.
(26) General Laws, 1860, 130-141, ch. 15.

the welfare board, one of whom must be, and three of whom may be, members of the county board, is for two years, and for most of the other appointive officers one year. The county highway engineer is named annually for no specific period and may be dismissed without a hearing.

The county commissioners and the auditor by virtue of their offices constitute a board of equalization of property assessments, and the chairman of the county board, the auditor, and the clerk of the district court constitute a board of audit. The chairman of the county board, the auditor, and two justices of the peace appointed by the auditor constitute the temporary canvassing committee for general and special elections, and the temporary primary election board is made up in the same way except that the justices are selected by the judge of the district court, and the clerk of the district court becomes a member. All members of the county board, with the officers of the county farm bureau, are members of the county cooperative extension committee, also known as the county extension budget committee. (27)

Elective officers are chosen at the general election in November in even-numbered years. Three county commissioners and the judge of probate are elected at one election, and two commissioners and the other officers are chosen at the election held two years later. (28) The term of each elective office is four years (29) and begins on the first Monday in January succeeding his election. (30) On or before that date, in order to qualify, each officer, with the exception of the county superintendent of schools, and of the county commissioners outside the three large counties, is required to give a bond to the state, and each one is also required to take his oath of office in the manner prescribed by law. (31)

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(27) For the duties, functions, and histories of the present officers and boards, see the introductory essays in this volume.
(28) Legislative Manual of the State of Minnesota, 1937, 412.
(29) Judge of probate and clerk of the district court, Constitution of the State of Minnesota, art. 6, secs. 7, 13; all other offices, Laws, 1913, 668, ch. 458, amended, 1915, 233, ch. 138; act of 1915 held constitutional except as to clerk of the district court, State ex-rel. Abel v. John A. Berg (32 Minn. 426).
(30) Constitution of the State of Minnesota, art. 7, sec. 9.
(31) The statutory requirements for the oaths and bonds of county officers are found: Mason's Minnesota Statutes, 1927, secs. 191, 652, 826, 839, 873, 905, 924, 936, 942.

Vacancies in county offices, other than that of county commissioner and those connected with the judiciary, are filled by appointment by the board of county commissioners for the remainder of the unexpired term. (32) If a vacancy occurs in the office of county commissioner more than thirty days before the general election the appointment is made by the city mayors, village presidents, and township chairmen of the district to be represented, unless such district lies entirely within the limits of a city, in which case the appointment is made by the council of that municipality. (33) In case the appointive body is made up of an even number of members and cannot reach an agreement, the county attorney becomes a member. The appointee holds office until the beginning of the official year following the next ensuing general election. (34) Vacancy in the office of judge of probate is filled by the governor. The successor to the appointee is elected at the first annual election which occurs more than thirty days after the vacancy shall have happened. (35) Vacancy in the office of clerk of the district court is filled by appointment by the judge of the court. The appointee holds his office until the next general election and until his successor qualifies. (36) The same provisions apply to the appointment of the court commissioner. (37) All county officers except the surveyor may be removed by the governor for cause, but have the right of appeal to the district and state courts. (38)

The county serves as a unit for such purposes of state government as enforcement of the ordinary civil and criminal laws; collection of state and local tax levies and equalization of assessments; distribution of public funds; conduct of elections; registration of titles and other legal documents; general

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(32) Mason's Minnesota Statutes, 1927, sec. 659.
(33) Revised Laws, 1905, sec. 426; General Statutes, 1913, sec. 688; Laws, 1923, 448, 449, ch. 315; 1935, 181, 182, ch. 84; Mason's Minnesota Statutes, 1938 supplement, 657, ch. 7, sec. 660.
(34) Op. Attorney General, May 2, 1934; June 5, 1936.
(35) Constitution of the State of Minnesota, art. 6, sec. 10.
(36) Mason's Minnesota Statutes, 1927, 194, ch. 5, sec. 200.
(37) Mason's Minnesota Statutes, 1927, 58, sec. 250.
(38) Mason's Minnesota Statutes, 1927, 47, sec. 6954. The surveyor, perhaps through inadvertance, is omitted from the list. The issue is never raised, however. The surveyor receives no salary except in the metropolitan counties. The commissioners are empowered to hire any surveyor for designated work at any time, and in many counties, as in Scott, no one desires the office enough to seek it or even to qualify if elected.

supervision of certain schools within the county; provision for relief of poor and dependent persons and child welfare; provision for agricultural programs; construction and maintenance of certain highways; construction of certain drainage ditches; and control of boundaries of smaller governmental units.

Aside from the functions of various federal, state, and local police officers, the duties of law enforcement within the county are vested in the judges, the justices of the peace, the county attorney, the sheriff, and the coroner, and their official responsibility is to the state and not to the county.

The judiciary system for Minnesota was first prescribed by Congress in the organic act passed on March 3, 1849. This act authorized the Territory of Minnesota to establish the supreme court, the district court, and courts of probate and of justices of the peace. The jurisdiction of the courts was to be as limited by law, provided that the justices of peace were not to have jurisdiction of any matter in controversy when the title or boundaries of land might be in dispute or where the debt or sum claimed should exceed one hundred dollars. The supreme court and each district court, or the judge, was authorized to appoint a clerk of court.

The same act provided that the territory be divided into three judicial districts and that a district court be held in each district presided over by one of the justices of the supreme court. Each of the district courts was given power to exercise the same jurisdiction in all cases arising under the constitution and laws of the United States as was vested in the circuit and district courts of the United States. (39) The organic act also authorized the governor of the territory to define temporary judicial districts, assign the judges, and fix the time and place for holding courts in the territory, and further provided that the legislative assembly be empowered at its first or any subsequent session to organize, alter, or modify the judicial districts, assign the judges, and alter the time of holding court. (40)

Pursuant to this act Governor Alexander Ramsey, on June 11, 1849, established the first three judicial districts. The first district embraced the county of St. Croix which included the region between the Mississippi and St. Croix Rivers. Chief Justice Aaron Goodrich was assigned to this district, and a court was ordered to be held at Stillwater on the second Monday

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(39) U. S. Statutes at Large, 9:405, 406, ch. 121, sec. 9.
(40) U. S. Statutes at Large, 9:408, 409, ch. 121, sec. 19.

in August 1849. The second district embraced the northeastern section of the territory, formerly part of La Pointe County, Wisconsin, and at that time still known by that name, and everything west of the Mississippi River and north of the Minnesota River, and north of a line running due west from the headwaters of the Minnesota River to the Missouri River, which at that time constituted the western boundary of Minnesota. Justice Bradley B. Meeker was assigned to the second district, and a court was ordered to be held at the Falls of St. Anthony on the third Monday in August. The third district embraced the area south of the Minnesota River, north of the Iowa state line, and west to the Missouri River. Justice David Cooper was assigned to the third district and a court was ordered to be held at Mendota on the fourth Monday in August 1849. (41)

The first legislative assembly, which met in the fall of 1849, divided the territory into nine counties and declared three of them fully organized. Each of these three counties constituted a judicial district. Ramsey County constituted the first judicial district, Washington County the second, and Benton County the third. The other counties were attached to these for judicial purposes. (42)

In 1851, the legislature provided that a clerk of the district court should be appointed by the district judge for each county. Such officer was required to be a resident of the county and to maintain his office at the county seat. (43)

The territorial district courts were succeeded by the district courts of the state in 1858. The state constitution continued the basic form of the judiciary system as established by the organic act, with the addition that the legislature was empowered by two-thirds vote to establish from time to time other courts inferior to the supreme court. Pursuant to this power the legislature has established municipal courts, and, in the larger cities, conciliation courts.

The constitution provided that the district judges, the probate judge, and the justices of the peace were to be chosen by the electors of the judicial district, the county, and the municipality, respectively. All actions at law or suits in equity pending in the courts of the territory of Minnesota at the time the state constitution was drawn up were continued and

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(41) Messages of the Governors, Alexander Ramsey, Proclamation B, delivered June 11, 1849.
(42) Laws, 1849, 7-9.
(43) Revised Statutes, 1851, 83, 84, ch. 8, art. 2.

transferred to the state courts which had jurisdiction over the subject matter of the action or suit.

The legislature was directed to divide the state into judicial districts, to be composed of contiguous territory, to be bounded by county lines, and to contain a population as nearly equal as practicable, and authorized the legislature to change the boundaries or the number of judicial districts. The constitution also provided for district judges, instead of justices of the supreme court, to preside over the district court.

The term of office was fixed by the constitution at six years. At the same time the office of county clerk of the district court was made elective and the term set at four years. A constitutional amendment proposed in 1875, and voted upon and passed at the general election held on November 2 of that year, changed the term of office of the district judge from six to seven years, but a second amendment, voted upon on November 6, 1883, changed the term again to six years. (44)

The several district courts are in a sense one court of general jurisdiction coextensive with the boundaries of the state. This one general court is divided into districts for convenience. At present there are nineteen districts. Each district has one or more district judges as the legislature prescribes. Scott County, having been organized in 1853, was included in the third judicial district in 1854. (45) In 1858, it was included in the fifth district. (46) Since 1870 it has been in the eighth district with Le Sueur, Sibley, Carver, and McLeod Counties. (47) A general term is held in the county twice a year as directed by the legislature, and may be adjourned from time to time as ordered by the judge. At the present time the designated terms in Scott County open on the fourth Monday in March and November. There is one judge on the bench. (48) The local officers in attendance when the court is in session in Scott County are the sheriff, the county attorney, the clerk of the district court, and assistants and deputies.

The district court has original jurisdiction, both in law and equity, where the amount in controversy exceeds one hundred dollars, and in all criminal cases where punishment may exceed

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(44) Constitution of the State of Minnesota, art. 6.
(45) Laws, 1854, 175, ch. 53.
(46) General Laws, 1858, 156, 157.
(47) General Laws, 1870, ch. 81.
(48) Laws, 1937, 892.

three months imprisonment or a fine of more than one hundred dollars, and has appellate jurisdiction as may be prescribed by law.

The court has the power to issue writs of injunction, ne exeat, certiorari, habeas corpus, mandamus, quo warranto, and all other writs and processes necessary to the complete exercise of the jurisdiction vested in them by law. Every writ or process issuing from the court must be attested in the name of the presiding judge. It must be signed by the clerk and sealed with the official seal of the court, and dated on the day of its issue. Before delivery to the office for service, it must be endorsed by the clerk with the name of the attorney or other person procuring it.

In addition to the general term of court held twice each year, the judge may, by order filed with the clerk, convene the court in actual session during the vacation period on a date named in the order, for the trial of both civil actions involving public interest and criminal actions, wherever, in his judgment, public interest may be promoted. When so convened the court may by order, entered in the minutes by the clerk, direct the issuance of special venires for grand and petit juries, returnable on a named date, for the performance of such duties as may be submitted by the court in the usual course of procedure.

The district court is open at all times, except Sundays or legal holidays, for the transaction of such business as may be presented, including the issuance of writs and processes, the hearing of matters of law in pending actions and proceedings, and the entry of judgments and decrees. Actions in district court may be removed to the supreme court by appeal. The clerk of the district court is its official registrar. He issues all notices or certificates of the court and keeps all court records. (49)

The state constitution created the elective county office of court commissioner with judicial power not exceeding the power and jurisdiction of a judge of the district court at chambers, but permitted the county to confer such power and jurisdiction upon the judge of probate. Although an office of relatively small importance in most of the counties, the office of court commissioner is the only county office in Minnesota originally created and established by the state constitution. (50)

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(49) Mason's Minnesota Statutes, 1927, secs. 154-196.
(50) Constitution of the State of Minnesota, art. 6, sec. 15.

In 1860, the legislature made the office elective and required that the incumbent should be a man learned in the law, and must possess all the other qualifications required of judges of the district court. (51) Nothing in the act prevented the same person from holding at the same time the offices of court commissioner and judge of probate, and in many cases this is done. In some counties no court commissioner has been elected for many years, and in such counties the judge of probate performs many of the functions of the office. (52)

According to the act of 1889 establishing a probate code, the court commissioner could act on insanity cases when the judge of probate was unable to perform his duties. (53) Later legislation provides that whenever the judge of probate is unable to act upon any petition for the commitment of any defective, the court commissioner may act in his place. (54) It is under this general legislation that the court commissioner of Hennepin County, by mutual understanding, hears practically all the insanity and inebriety cases in that county which in a smaller county would normally be brought before the judge of probate.

Actions of lesser controversy and character than those brought before the district court are tried by justices of the peace. Territorial law provided for the election of two justices in each election precinct of each organized county, (55) and the appointment by the governor of justices in unorganized counties. (56) Under the township act two justices were to be elected in each township for a term of two years. (57) Counties not divided into townships were to elect two justices in each election precinct. (58)

Two justices of the peace are now elected in each township and village, and in the smaller cities, and keep their offices in the place where they are elected, but they may issue processes in any place in the county. (a) The jurisdiction of the justices of the peace is coextensive with the boundaries of the county except that writs of attachment may be directed to the

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(51) General Laws, 1860, 203.
(52) Legislative Manual of Minnesota, 1937, 395-416.
(53) General Laws, 1889, 150, sec. 280.
(54) Laws, 1917, 188, sec. 17, amended, 1921, 312, 313, sec. 1; 1935, 163, ch. 72, sec. 181.
(55) Laws, 1849, 6, ch. 3, sec. 2; 9, ch. 6, sec. 1.
(56) Laws, 1849, 9, ch. 5, sec. 20.
(57) General Laws, 1858, 193, ch. 75, art. 3, secs. 1, 2.
(58) General Laws, 1860, 140, ch. 15, art. 2, sec. 30.

proper officer of any court in the state for the purpose of causing an attachment of property; and a garnishee process issued in any action before a justice of the peace may be served on the garnishee in any county in the state. (59)

Justices of the peace have jurisdiction in criminal cases involving three months imprisonment or a fine of up to one hundred dollars, (a) they may act as magistrates in examining and binding over an indictable offender and may issue warrants or make arrests and act as conservators of the peace. (b) In civil cases, they have jurisdiction involving not more than one hundred dollars where money damages must be assessed, (c) but not in real estate title cases, false imprisonment, libel, slander, malicious prosecution, criminal conversation, seduction, breach of promise to marry, and actions against executors and guardians. (d) (60)

In every action brought in a justice of the peace court, it is lawful for either party to the suit to demand a jury of six. In a civil case the party demanding the jury pays jury fees for one day in advance. The jury list is called by the sheriff or constable from persons qualified to serve in a district court. (61)

Any person aggrieved by any civil judgment rendered by the justice of the peace when the judgment exceeds fifteen dollars, or in an action of replevin when the value of the property sworn to in the affidavit exceeds fifteen dollars, or in any case where the amount in complaint exceeds thirty dollars, may appeal to the district court. (62)

Any person convicted of a criminal offense by a justice may appeal to the district court by filing within ten days a bond, approved by the justice, to appear on the first day of the general court thereafter, and by serving a notice on the county attorney (or in certain circumstances the clerk of the district court) specifying the grounds for his appeal.

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(59) Laws, 1849, 10, ch. 6, art. 1, sec. 5; General Statutes, 1894, sec. 4955; Mason's Minnesota Statutes, 1927, (a) sec. 8994, (b) sec. 8993.
(60) Mason's Minnesota Statutes, 1927, (a) sec. 9111, (b) sec. 9110, (c) sec. 8997, (d) sec. 8998.
(61) Laws, 1849, 17, ch. 6, art. 7, sec. 2; Mason's Minnesota Statutes, 1927, secs. 9034, 9035; Criminal jury, Mason's Minnesota Statutes, 1927, secs. 9120, 9122.
(62) Mason's Minnesota Statutes, 1927, 1780, ch. 75, sec. 9092.

The justice is required in all appealed cases to file with the clerk of court a return of all proceedings had before him and all papers relating to the cause. If the appeal is a question of law alone, the judge tries the case on the return of the justice. If the appeal is on a question of both law and fact, the case is tried in the same manner as if started in the district court. (63)

The justice of the peace is required to keep a docket in which is entered each case commenced by him with all the facts concerning the case. At the expiration of his term the docket is deposited with the clerk of the district court. (64)

The probate court was first authorized by the organic act, and the functions and duties of the probate judge were fully prescribed by the laws of 1849 and have not been greatly changed since. (65) The jurisdiction of the probate court is limited by the state constitution which gives to it the entire and exclusive jurisdiction over the estates of deceased persons and persons under guardianship, in the same manner and to the same extent that it gives to the district court jurisdiction over civil cases in law and equity arising out of other matters of contract or tort. (66) The probate court hears cases of persons allegedly lunatic, insane, non compos mentis, feeble-minded or inebriate who may be subject to institutional care. (67)

In addition to his other duties, the judges of probate in counties with under 40,000 population, and in Stearns and Otter Tail Counties, have jurisdiction over juvenile cases involving guardianship of dependent, neglected, or delinquent children under the age of eighteen. This function was first conferred on the judges of probate in counties of less than 50,000 population in 1909. (68) It continued to be exercised under the act of 1917 which conferred the powers and title of judge of the juvenile court upon the judges of probate except in the five largest counties. Over juvenile cases the judge of probate, as

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(63) Mason's Minnesota Statutes, 1927, 9129, 9134.
(64) Mason's Minnesota Statutes, 1927, secs. 9000, 9001.
(65) U. S. Statutes at Large, 9:406, ch. 121, sec. 9; Laws, 1849, 66-75, ch. 20, secs. 1-38; the present probate code is found: Laws, 1935, 108-167, ch. 72.
(66) Constitution of the State of Minnesota, art. 6, sec. 7.
(67) Mason's Minnesota Statutes, 1927, ch. 74, secs. 8953, 8955, 8958-8960; Laws, 1935, 159-164, secs. 173-184.
(68) Laws, 1909, 269-274, ch. 232; 1931, 281-283, ch. 250.

judge of the juvenile court, has broad powers. He may postpone cases from time to time, he may remand the child to the care of a probation officer, or even to its own parents under the supervision of a probation officer, and he may appoint as guardian the state board of control, any responsible individual, or an institution including the State Training School for Boys and the Minnesota School for Girls. (69) When mothers' aid was inaugurated in 1913, its administration was delegated to the judge of probate, (70) who, after 1917, continued the same duties as judge of the juvenile court. (71) At the same time he became a member of the county child welfare board, newly created for the investigation of mothers' aid cases. (72) The judge of probate as juvenile judge still has jurisdiction over dependent, neglected, and delinquent children, but, since July 1, 1937, the supervision of mothers' aid has been included in the category of aid to dependent children which is administered by the county welfare board cooperating with the state board of control. (73)

The board of county commissioners, commonly referred to as the county board, serves as the head of the county administration. The county is a body politic and corporate, and the powers of the county as such are exercised by the county board only in pursuance of a resolution adopted by the board. Deeds and other instruments made by the county are executed in its name by the chairman of the board and by the auditor as clerk of the board. As a body politic and corporate, the county is empowered to sue and be sued; to acquire and hold real and personal property for use of the county; to sell lands for taxes as provided by law, and to purchase and hold, for the benefit of the county, real estate sold by virtue of proceedings to which the county is a party; to sell, lease, and convey any real or personal estate; and to make all contracts and to perform all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers. (74) The county board levies the taxes and makes appropriations for

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(69) Laws, 1917, ch. 233, sec. 1; ch. 237, secs. 1-11; ch. 397, secs. 1-17; 1931, 281-283, ch. 250. Op. Atty. Gen., November 2, 1933.
(70) Laws, 1913, 148, 149, ch. 130.
(71) Laws, 1917, 337.
(72) Laws, 1917, 280, ch. 194.
(73) Laws, 1937, 651, ch. 438, sec. 1-b; 1937, 466, 467, ch. 343, sec. 7.
(74) Laws, 1849, 53, ch. 19, sec. 13; Revised Statutes, 1851, 55-57, ch. 7, secs. 1-13; General Laws, 1860, 131-134, art. 1, secs. 1-15; Revised Laws, 1905, sec. 409, amended, Laws, 1907, ch. 310, secs. 1-13; Mason's Minnesota Statutes, 1927, secs. 638, 640, 643, 668, 739.

the maintenance of county buildings and for expenses incurred by the county administration. (75) It has general supervision of certain roads in the county and has power to appropriate and expend sums of money for their maintenance. The board may also issue bonds for road and bridge purposes and may make special assessments for the construction of drainage ditches. (76) Additional aid for these purposes is received from state funds. Agricultural extension programs and welfare programs are supported in part by appropriations made by the county, augmented by state and federal grants. (77)

The county board, at its annual meeting in January, selects from the last poll lists of the county a list of persons qualified to serve as grand jurors and another list of persons qualified to serve as petit jurors. The clerk of the district court writes each of the names on a slip of paper, and, in the presence of the sheriff and a judge or justice, draws out the names of persons to serve as grand or petit jurors. The venire is then delivered to the sheriff who orders the persons so drawn to appear before the court. (78)

The office of auditor was established in 1858 under the supervisor form of government. The first auditor in Scott County was appointed by the county board in that year to serve until 1859 when the office became elective. The new office was charged with the duties of clerk of the county board, supervisor of taxation, keeping accounts concurrently with the treasurer, and auditing and issuing warrants for claims against the county when approved by the county board, all of which had previously been functions of the register of deeds. (79) Two years later the auditor was charged with the supervision of elections, (80) and the sale, transfer, and redemption of delinquent tax lands, which

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(75) Mason's Minnesota Statutes, 1927, secs. 2057, 2060; Revised Laws, 1905, sec. 868; General Statutes, 1913, sec. 2050.
(76) Laws, 1921, ch. 323, sec. 24, sub. div. 2, amended, 1923, ch. 439; Mason's Minnesota Statutes, 1927, sec. 2559.
(77) See historical introductions to County Welfare Board and County Highway Engineer.
(78) Laws, 1849, 53, 54, secs. 15-17; Revised Statutes, 1851, 60, secs. 15-17; 536, secs. 5-8; Revised Laws, 1905, sec. 4336.
(79) General Laws, 1858, ch. 75, art. 15, secs. 8, 9, 11; art. 18, secs. 1, 3-5, 7.
(80) General Laws, 1860, 146-165, ch. 75, secs. 1-72.

had also previously been the responsibility of the register of deeds. (81) The original term of office of the auditor was two years. This was changed to four years in 1913. (82)

The auditor as clerk of the county board is required to keep a record of its proceedings. As the principal accounting and comptrolling officer of the county he prepares an annual financial statement, unless otherwise ordered by the board, and presents at each regular meeting a statement of the amounts levied for county purposes, of the cash balance remaining to the credit of each fund, and of the amounts unpaid on contracts entered into by the county. He draws all warrants for the payment of county funds, and keeps parallel accounts with the treasurer of all money which passes through the county coffers. The office is in fact the clearing house of the county's business.

The auditor is charged with the duties of compiling tax assessments for all regular and special levies for the use of the city, township, and village assessors, and with sitting as a member of the board of equalization. He computes the tax rate necessary to raise the amount of taxes levied by the county, and the various cities, villages, townships, and school districts, prepares the current tax lists for the county treasurer, and makes distribution of the funds collected. He also makes out the delinquent tax lists for the clerk of the district court, and conducts all tax sales.

As principal officer in charge of elections, the auditor receives filings of candidates, prepares and distributes ballots, assists in canvassing returns as a member of the county canvassing boards, and performs many other important duties.

He is ex-officio member of the county board of audit, and secretary of the county cooperative extension committee. He issues licenses such as rural liquor, hunting, fishing, auctioneers, hawkers, et cetera. Other duties are also imposed upon him from time to time by successive acts of the legislature.

The taxing system of Minnesota consists of a classified general property tax on all real and personal property in the state not subject to a lieu tax and not expressly exempted from taxation by section 1, article 9, of the constitution; a gross earnings tax on the property of railroad companies, sleeping car

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(81) General Laws, 1860, 43-51, ch. 1, secs. 85-105.
(82) Laws, 1913, 668, ch. 458, secs. 1-3, amended, 1915, 233, ch. 168, secs. 1-3.

companies, express companies, freight line companies, telephone and telegraph companies, and trust companies; a three mill tax on money and credits, a mortgage registry tax, a bushel tax on grain handled by elevators and warehouses, a net tonnage tax on vessels plying international waters, an inheritance tax, a gift tax, a premium tax on insurance companies, a poll tax, a motor vehicle tax, an occupational tax on the mining of iron ore, a tax on royalties received from the mining of iron ore, a tax on gasoline used in producing or generating power for propelling motor vehicles, a specific tax on shares of joint stock land banks, a chain store tax, a net income tax, a liquor tax, a tax on shares of stock in investment companies, and an annuity tax on educational institutions having territorial charters. (83) In addition to these taxes local bodies levy various assessments for local improvements.

Real estate is construed to include the land itself, and all buildings, structures, and improvements or other fixtures thereon of whatsoever kind, and all rights (such as riparian) and privileges belonging or in anywise appertaining thereto, and all mines, minerals, quarries, fossils, and trees on or under the same. (84)

Personal property is construed as meaning all goods, chattels, moneys and effects; all ships, boats, and vessels belonging to inhabitants of this state, whether at home or abroad, and all capital invested therein; all improvements made by others upon lands, the fee of which is still vested in the United States, and all improvements, including elevators and other structures, upon lands the title to which is still vested in any railroad company or other corporation whose property is not subject to the same mode and rule of taxation as other property; all stocks of murserymen, growing or otherwise; all gas, electric, and water mains, pipes, conduits, subways, poles and wires of gas, electric light, water, heat, or power companies, wherever constructed or located, and all tracts, roads and bridges of street railway, plank roads, gravel roads, turnpike and bridge companies, together with the conduits, poles, and wires of such companies erected or laid in connection therewith; credits of every kind; the income of every annuity, unless the capital of the annuity be taxed within this state; all public stocks and securities; all personal estate of moneyed corporations, whether the owners thereof reside in or out of the state; all shares in foreign corporations owned by residents of this state; and all shares in

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(83) Assessor's Manual, State of Minnesota, 1938, 107.
(84) Mason's Minnesota Statutes, 1927, ch. 1977.

banks organized under the laws of the United States or of this state. (85)

In construing "money and credits" for taxation purposes in Minnesota, "money" means gold and silver coin, treasury notes, bank notes, and other forms of currency in common use; and the word "credits" means and includes every claim and demand for money or other valuable thing, and every annuity or sum of money receivable at stated periods, due or to become due, and all claims and demands secured by deeds or mortgages, due or to become due, and all shares of stock or corporations not otherwise assessed or taxed in this state. Money and such credit items as real estate and chattel mortgages, judgments, and contracts for the sale of real estate are taxable in this state if the owner lives here, even if the property is located outside the state. (86)

Certain general tax exemptions are provided for in the constitution and enacted into law by successive statutes. Such exemptions include all public property exclusively used for public purposes, all churches, church property, and houses of worship, academies, colleges, and universities, seminaries of learning, public schoolhouses, institutions of public charity, public hospitals, and public burying grounds. The law also provides for certain exemptions on farm machinery and personal property, and on homesteads actually occupied by the owner. (87) Railway, sleeping car, freight line, express, telephone, telegraph, and trust companies pay into the state treasury a percentage of their gross earnings in lieu of all other taxes on property owned and used by them in carrying on their business.

The mode of assessment of property in Minnesota was originally derived from the laws of Wisconsin. Three assessors were to be elected in each organized county (88) and appointed by the governor in each unorganized county. (89) The term of office was for one year. The county commissioners at their annual meeting in January were to divide the counties into three

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(85) Mason's Minnesota Statutes, 1927, sec. 1979.
(86) Laws, 1911, ch. 285; Mason's Minnesota Statutes, 1927, sec. 2337.
(87) Constitution of the State of Minnesota, art. 9, secs. 1, 1A; Mason's Minnesota Statutes, 1927, sec. 1975, amended, Laws, 1935, 710, ch. 385, amended, extra session, 84, 85, ch. 66.
(88) Laws, 1849, 6, ch. 3, sec. 2.
(89) Laws, 1849, 45, ch. 10, sec. 3.

districts, assign a district to each of the supervisors, and cause blank forms for assessment rolls made out and delivered to them. (90) The assessors, after making the assessment, returned the forms to the commissioners who inspected and approved them at their July meetings, and then proceeded to make the tax levy. (91) The register of deeds made out the assessment rolls and delivered one copy to the county treasurer and another to the sheriff, with instructions to proceed with the collection and to sell lands and chattels, if necessary, to enforce payment. (92) The sheriff received for his services a percentage of the amounts collected and also a small fee for making certificates of sale. (93)

The various laws relating to taxation were collated into a code in 1851. (94) In 1858 the duty of making out the tax rolls was transferred from the register of deeds to the newly created office of auditor. (95) The auditor was instructed to procure blanks and books for the assessors. The assessors were to complete their assessments before the first Tuesday in July when they were to meet with the auditor, who was to compare the lists and correct errors. (96) The same year provision was made for the election of an assessor in each township, to serve for one year. The assessors, together with the town supervisors, were to be fence viewers also. (97) In territory which was not organized into counties the appointive power rested with the county boards. (98)

The register of deeds was relieved of all taxation duties in 1860 when the auditor took over the supervision of the sale, transfer, and redemption of delinquent tax lands. (99) The board of equalization, consisting of the county board and the auditor, was created the same year. (100) In 1872, and again in 1873, a commission, composed of the attorney general, the state auditor, and the state treasurer, was appointed by the legislature

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(90) Laws, 1849, 54, ch. 19, sec. 18.
(91) Laws, 1849, 55, ch. 19, sec. 24.
(92) Laws, 1849, 78, ch. 21, sec. 15.
(93) Laws, 1849, 82, 83, ch. 23, sec. 16.
(94) Revised Statutes, 1851, 92-112.
(95) General Laws, 1858, 205.
(96) General Laws, 1858, 210, 211, ch. 75, art. 18, secs. 1, 3-5, 7.
(97) General Laws, 1858, 193, 197, 198, ch. 75, art. 3, secs. 2, 3, 12, 15.
(98) Laws, 1905, ch. 442, amended, 1909, ch. 250, sec. 1.
(99) General Laws, 1860, 43-51, secs. 85-105.
(100) General Laws, 1860, 29, 30.

to revise the tax laws of the state and report to the following legislature. (101) In 1878 a detailed system of taxation was prescribed by the legislature but various changes have been made since that time. (102)

The Minnesota Tax Commission was created by law in 1907. (103)

In 1909 the term of the assessors in townships and villages, not operating under special laws, was placed at two years, and the election set for each odd-numbered year. (104)

The auditor annually provides the necessary assessment books and blanks at the expense of the county, for, and to correspond with, each assessment district. The books are usually delivered to the assessors at their annual instruction meeting, held with the auditor in his office, on or before the third Monday in April as fixed by the Minnesota Tax Commission.

In the real estate books the auditor makes a complete list of all lands or lots subject to taxation, showing the names of owners, if known, the number of acres, and the lots or parts of lots or blocks included in each description of property. (105) The list of any real property which has become taxable or undergone a material change in value, during odd-numbered years when no real estate assessments are prepared, may be entered in the personal property assessment book. (106)

The personal property listing blanks contain columns for all items of such property by classes, with suitable columns for the listing of numbers, owner's full valuation, assessor's full valuation, and assessor's assessed valuation. Rules for separating the various classes and groups are made by the Minnesota Tax Commission, which is empowered to make, from time to time, such changes in grouping and classification as may seem advisable for securing more detailed information and an improved listing and classification. (107)

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(101) General Laws, 1872, 89; 1873, 224, 225.
(102) General Laws, 1878, 2-67; Mason's Minnesota Statutes, 1927, sec. 1974, et. seq.
(103) Laws, 1907, ch. 408; Mason's Minnesota Statutes, 1927, 564, ch. 7, secs. 2354-2365.
(104) Laws, 1909, 362, ch. 316.
(105) Mason's Minnesota Statutes, 1927, sec. 1986.
(106) Laws, 1937, 270, ch. 206.
(107) Mason's Minnesota Statutes, 1927, 2019.

All real property subject to taxation is listed and assessed every even-numbered year with reference to its value on May 1 preceeding the assessment. Personal property and money and credits are listed and assessed annually as of May 1. (108) The assessor performs his duties in May and June.

The assessor must view and determine the true and full value of each tract or lot of real property listed for taxation. The value, including the value of all improvements and structures, is entered opposite each description followed by the assessed valuation.

The assessor makes an alphabetical list of the names of all persons in his township or district liable to an assessment on personal property, including money and credits. Such persons are required to make and deliver to the assessor a correct list and a verified statement of their personal property and money and credits. The assessor then determines the value of the property in the statement and enters the value in his assessment book opposite the name of the person assessed, with the name and post office address of the person listing the property. (109) When assessing personal property the assessor also designates the number of the school district in which each person assessed is liable for tax, by writing the number of the district opposite each assessment in a column provided for that purpose in the assessment book. (110)

The assessor must foot each column in his assessment books and make in each book under the proper headings a tabular statement, showing the footings of the columns upon each page. He also foots the total amounts of the columns under the respective headings. (111)

All property is appraised at its true and full value in money. The term "true and full value" means the usual market value at the time of assessment, being the price that could be obtained for the property at private sale. (112) After ascertaining this true value, the assessor assesses the property at certain percentages set forth in the statutes and varying in

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(108) Mason's Minnesota Statutes, 1927, sec. 1984.
(109) Mason's Minnesota Statutes, 1927, sec. 1990.
(110) Mason's Minnesota Statutes, 1927, sec. 2037.
(111) Mason's Minnesota Statutes, 1927, sec. 1991.
(112) Mason's Minnesota Statutes, 1927, sec. 1980.

different classes. (113) The assessment should be completed before the fourth Monday in June, when the assessor presents it at the annual meeting of the township board of equalization for review. (114) However, he still has authority to make an assessment on his own motion (115) until he returns his books, lists, and statements of all persons assessed to the auditor on or before the first Monday in July. (116)

The return of the assessment books and lists to the auditor is verified by the assessor's affidavit. The auditor then examines the assessment books and if he finds them in the proper form he issues a certificate to the assessor. Such certificates are filed with the city, village, or township clerk or recorder, and until the assessor has done so he receives no compensation for his services. (117)

After that, the assessor has no authority over the assessment books or to perform any official act. However, if the auditor has reason to believe or is informed that the assessor has received a false statement of personal property, or if the returns do not show the full amount of all property to be listed in the assessor's district, or if a mistake of any kind has been made, he notifies the assessor who must correct immediately his original returns. In case of the inability or neglect of the assessor to perform this duty, the auditor ascertains the value of the property and makes the correction himself. (118)

The board of equalization, composed of the commissioners and the auditor, meets annually on the third Monday in July for a session of four weeks to examine and compare the returns of the assessment of the property of townships or districts. The valuation is then equalized so that each tract or lot of real property, and each article or class of personal property is entered on the assessment list at its true and full value, subject to certain rules prescribed by law. A record of the proceedings and orders of the board is kept by the auditor and published in a county newspaper. A copy of the published record is sent to the state auditor with the abstract of assessment, as

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(113) Laws, 1913, 710, ch. 481, amended, 1923, 152-154, ch. 140; Mason's Minnesota Statutes, 1927, sec. 1993, amended, Laws, 1933, 595-597, ch. 359, amended, 1937 special session, 153, 154, ch. 86.
(114) Mason's Minnesota Statutes, 1927, sec. 2034.
(115) Mason's Minnesota Statutes, 1927, sec. 1990.
(116) Mason's Minnesota Statutes, 1927, sec. 2037.
(117) Mason's Minnesota Statutes, 1927, secs. 2038, 2039.
(118) Mason's Minnesota Statutes, 1927, sec. 2042.

corrected by the county board of equalization, on or before the fourth Monday of August for review by the state board of equalization. A copy of the abstract sent to the state auditor is filed in the county auditor's office. (119) Another copy is sent to the State Tax Commission. (120)

Taxes are levied or voted by the state, county, townships, cities, villages, and school districts in specific amounts, and the rates percent are determined from the amount of property as equalized by the state board of equalization each year. The state tax is levied by the legislature, and the rate is certified by the state auditor to each county auditor on or before October 1 annually. County taxes are levied by the board of county commissioners at its annual meeting in July and are based upon an itemized statement of the estimated county expenses for the ensuing year. This statement is included in the published proceedings of the board and a record of the levy is in the auditor's office. The taxes voted by cities, villages, townships, and school districts are certified to the auditor on or before October 10 of each year. The rate percent of all taxes except the state tax, and taxes the rate of which may be fixed by law, is computed by the auditor and is based upon the last preceding valuation of the taxable property in the county as assessed and entered on the tax lists. (121)

The tax lists are made up by the auditor from returns of the various assessors in the county as modified by the boards of equalization. The auditor must determine the specific amount due on each tract of real property and the amount due on personal property. These amounts are set down on the lists opposite the tract or name of the person taxed. This is sometimes referred to as "extending" the tax. Since the lists are copies or duplicates of the assessment lists, with the taxes added, they often are termed "tax duplicates". The auditor has from October 10 to the first Monday in January following to complete the lists. In each tax book or list the auditor enters a certificate that the list of taxes levied is correct. (122)

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(119) General Laws, 1860, 29, 30, ch. 1, secs. 37, 39; Mason's Minnesota Statutes, 1927, secs. 2050, 2052.
(120) Mason's Minnesota Statutes, 1927, secs. 2364, 2365.
(121) General Laws, 1878, 38, sec. 48; General Statutes, 1878, 225, sec. 48, amended, General Laws, 1885, 106, 107; Mason's Minnesota Statutes, 1927, secs. 2056-2059.
(122) General Laws, 1878, 39, 40, sec. 50; Mason's Minnesota Statutes, 1927, secs. 2071, 2072.

On or before the first Tuesday of March in each odd-numbered year, the auditor makes out and transmits to each township clerk a certified copy or abstract of the real estate assessment roll of each township as equalized by the county and state boards of equalization. (123)

A complete abstract of the tax lists of the county is sent to the state auditor on or before the first day of January of each year. This abstract shows the number of acres of land assessed and the valuation, including structures; the total value of all taxable personal property in the assessment districts; the aggregate amount of all taxable property in the county; and the total amount levied for the state, county, townships, and all other units. (124)

At the same time, the county auditor delivers the tax lists to the county treasurer and receives a receipt showing the total amount of taxes due on the lists. The lists are authority for the treasurer, as agent of the state and of the taxation units of the county, to receive and collect all taxes levied and place them to the credit of the proper funds. (125) The treasurer has been collector of real estate taxes since 1860, when he took over the duty from the sheriff who had served throughout the territorial period. (126) Special assessments are collected by the county treasurer in the same way as general taxes. The treasurer also receives fines, forfeitures, and penalties for the county.

The treasurer causes to be printed on the back of all current tax receipts a statement showing the number of mills of the current tax apportioned to the state, county, city, village, township, or school district.

He makes all tax receipts in triplicate, giving one to the taxpayer, retaining one himself, and at the end of each month delivering one to the county auditor, who files and preserves it in his office, charging the treasurer with the amount shown.

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(123) General Laws, 1868, 59; Laws, 1895, 134, amending General Statutes, 1878, 246, sec. 126; Mason's Minnesota Statutes, 1927, sec. 2054.
(124) General Laws, 1878, 40, sec. 51; General Statutes, 1878, 226, 227, sec. 51, amended, General Laws, 1885, 7, sec. 3; Mason's Minnesota Statutes, 1927, sec. 2073.
(125) General Laws, 1878, 40, sec. 53; General Statutes, 1878, 227, sec. 53, amended, General Laws, 1885, 7, sec. 4; Mason's Minnesota Statutes, 1927, sec. 2074.
(126) Laws, 1849, 54, 55, ch. 19, secs. 18, 25, 26; ch. 21, sec. 15; General Laws, 1860, 68, ch. 3, sec. 9.

The treasurer makes payments upon orders or warrants issued by the auditor against funds for which taxes have been levied to the amount in the fund, without regard to priority of the numbers of such orders, except when otherwise provided by law, and on the face of each order the treasurer stamps the date of its receipt and writes the name of the person from whom received.

The auditor keeps accounts with the state, with the county and with each of the funds of the county, with each township, city, village, and school district, and with the treasurer. (127)

On the last day of February, May, and October of each year the treasurer makes a full settlement with the auditor of his receipts and collections for all purposes from the date of the last settlement. This settlement includes a full report of collections made and moneys remaining unpaid on the current tax list. At the same time the auditor supervises the apportionment of undistributed receipts to the credit of the state, each city, village, township, and school district, and each county fund. He then draws warrants to the state and each local unit for the full amount due them, and also sends a report and abstract of the settlement to the state auditor. (128)

Unpaid personal property and money and credits taxes become delinquent on March 1 after they become due. The treasurer files the delinquent list with the clerk of the district court on the fifth secular day in April of each year. The county attorney prosecutes the proceedings for the county, and the judgment is docketed and becomes a lien upon the property. (129) The sheriff makes due effort to collect the delinquencies. On June 1 following he files with the clerk of the district court a list of the taxes which still remain delinquent, following the list with an affidavit stating that he is unable to collect them. On or before June 10 the clerk of court delivers the list to the treasurer who, by comparing the list with the tax duplicates in his possession, ascertains whether or not all personal property and money and credits taxes reported by him to the clerk as delinquent, except those included in the

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(127) General Laws, 1878, 44, sec. 67; Laws, 1902 extra session, 39, sec. 76; Mason's Minnesota Statutes, 1927, sec. 2085.
(128) Revised Laws, 1905, sec. 883, amended, Laws, 1911, 303; Mason's Minnesota Statutes, 1927, secs. 2082, 2083.
(129) General Laws, 1878, 41, 42, secs. 55-60; Laws, 1897, 85-87; 1899, 285-287, ch. 246; Mason's Minnesota Statutes, 1927, secs. 2088-2090, 2101.

sheriff's list, have been paid into the treasurer's office. The treasurer then delivers the list and affidavit of taxes paid and unpaid, with his certificate attached, to the county board, which cancels such taxes as they are certain cannot be collected. A copy of the revised list is included in the records of the commissioners' proceedings and published in full as part of the proceedings. (130) Lists and statements of personal property may be destroyed by the auditor after six years from the date when the taxes levied on such property have been paid or become delinquent. (131)

Real estate taxes become due on the first Monday in January next after their assessment, when the auditor delivers the tax lists to the treasurer. They become delinquent on the first Monday in January next after they become due. Formerly they became delinquent on the first day in June after they became due. (132)

On or before February 1 in each year the auditor files with the clerk of the district court a list of the real estate taxes becoming delinquent that year. Under the present laws, lands bid in by the state and not assigned or redeemed are not placed on the list. Bids for publication of the list are filed with the auditor. The list is published on or before February 20. (133) Upon the expiration of twenty days from the publication of the notice and list, the clerk of court enters a judgment against each parcel for which no answer has been filed.

Such judgment is entered by the clerk in a book kept by him, called the Real Estate Tax Judgment Book, and is signed by the clerk. The clerk attaches together and files the list, notice, and affidavit of publication, one copy of the newspaper and supplement in which the notice and list were published, all answers, all orders made in the proceedings, and other papers filed in the course of the procedure of tax judgment. When any real estate tax judgment is entered, the clerk delivers to the auditor, in a book provided by that officer, a certified copy of such judgment. Minnesota differs from other states in that the

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(130) Laws, 1895, 135, 136, ch. 14, amending General Statutes, 1878, 228, sec. 59; Mason's Minnesota Statutes, 1927, sec. 2092.
(131) Mason's Minnesota Statutes, 1927, sec. 2020.
(132) General Laws, 1878, 45, sec. 69; Laws, 1902 extra session, 1, 2, title 1, ch. 2; Mason's Minnesota Statutes, 1927, footnotes 2, 3, sec. 2105.
(133) Mason's Minnesota Statutes, 1927, sec. 2110.

proceedings for the collection of real estate taxes are judicial, in the nature of an action in court, in which the owner, or any person having an interest in the land, may interpose an answer setting forth any objection to, or defense of, the taxes or penalties. Upon trial of the issues, the court may render a judgment which is final and conclusive. (134)

On the second Monday in May in each year the auditor is required to sell all parcels of land against which judgment has been entered and remains unsatisfied for the taxes of the preceding year or years. (135) If there are no bidders on a particular piece of property or if the bid is too low, the parcel is bid in by the county auditor for the state. Any person holding an interest in the property may redeem it at any time within the period of redemption (136) by paying the purchaser the amount which the purchaser has paid, together with interest on that amount, for the expired period. In the absence of such redemption the purchaser, at the end of the period of redemption, is given full title.

A special sale is held each year, extending over varying periods, for the sale of all lands which have been bid in for the state and not assigned to purchasers or redeemed within three years from the date of the tax sale at which they were offered. Each parcel of land is to be sold to the highest cash bidder therefor, but, unless as otherwise provided by emergency legislation, not for less than the aggregate taxes, penalties, interest, and costs charged against it, unless the cash value thereof fairly determined by the county board is less than such aggregate, in which case the value so fixed is to be the minimum price for which the property is to be sold. (137)

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(134) General Laws, 1878, 45, 47, 48, secs. 70, 76; General Statutes, 1878, sec. 70, ch. 11, amended, General Laws, 1885, 12, sec. 16; General Statutes, 1878, 232, sec. 76, amended, General Laws, 1881, 30, sec. 14; General Laws, 1885, 13, sec. 19; 1887, 111, 112; Laws, 1902 extra session, 2, 3; 1913, 781-783; Mason's Minnesota Statutes, 1927, secs. 2106 and footnote 3, 2108, 2110, 2117, 2121-2124.

(135) General Laws, 1878, 52, sec. 82; General Statutes, 1878, 235, sec. 82, amended, General Laws, 1881, 30, sec. 15; 1885, 13, sec. 20; Mason's Minnesota Statutes, 1927, sec. 2127.

(136) Laws, 1935, 502, ch. 278, sec. 2.

(137) Mason's Minnesota Statutes, 1927, secs. 2138, 2139, as amended by Laws, 1931; Laws, 1935, 715-718, ch. 387.

The procedure for the final foreclosure of title and redemption has been subject to a considerable amount of amending in the past few years. The legislature, in regular and special sessions, has wrestled with the problem, periods of redemption have been extended, and penalties and interest canceled.

The first concession looking to the disposition of delinquent tax lands was made in 1921, when it was provided that all parcels bid in by the state for the year 1914 or prior years might be disposed of for one-half of the total tax originally assessed, and that such parcels subject to delinquent taxes for ten years or more might be disposed of for a sum not less than one-fifth of the original assessment. (138)

Among recent attempts to dispose of lands forfeited to the state were the acts of 1935. All parcels of land on the tax lists of 1930 and prior years bid in by the state and not assigned to purchasers or redeemed within three years from the date of the tax sales, were to be sold at a percentage of the amount due, the percentage diminishing in accordance with the number of years of delinquency. The limit for taking advantage of the offer was set at June 30, 1936. (139)

By another act the period of redemption of all lands bid in for the state at tax judgment sales for the years 1926, 1927, 1928, and 1929, where such lands had not hitherto been sold or assigned to actual purchasers, was extended to July 1, 1936. If on that date a crop was growing on the land the occupant was allowed to remain in possession until December 1, 1936, for the purpose of completing the harvest. On such lands it was required that notice be served on the delinquent owner one year before the date of expiration of the period of exemption. The period of redemption on lands sold after the passage of the act was fixed at five years, and the period of notification was placed at sixty days. (140) Still another act permitted a confession of judgment for the principal amount of the taxes, without interest and penalties, and payment of the taxes in ten annual installments together with the current taxes. The original act was passed at the special session of 1935, and the regular session of 1937 extended operation until November 1, 1938. (141)

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(138) Laws, 1921, 584, ch. 386, amending General Statutes, 1913, sec. 2128.
(139) Laws, 1935, 715-718, ch. 387.
(140) Laws, 1935, 501-507, ch. 278; 718, ch. 388, sec. 3.
(141) Laws, 1935 extra session, 90-93; 1937, 849-851.

By the latest law passed in 1937, the owner at the time of forfeiture of any parcel of land claimed by the state to have been forfeited to the state for non-payment of taxes for one or more of the years 1926, 1927, 1928, 1929, and 1930, might repurchase the same before March 1, 1938, for three-fifths of the aggregate of all taxes and assessments accrued against the parcel at the time of the forfeiture, less interests and penalties, and including costs, unless such parcel of land had already been sold. The repurchaser was to pay cash of not less than one-fifth of the repurchase price, and the balance in ten annual installments together with current taxes as they became due. (142)

A general election, (143) of which the auditor has general charge, is held in the several election districts of the state on the first Tuesday after the first Monday in November in each even-numbered year. All elective state and county officers, judges of the supreme and district courts, members of the legislature, and representatives in Congress are elected at the general election next before their terms of office expire. The term of every state and county officer begins on the first Monday in January succeeding his election, unless otherwise provided by law. (144) Each township, each village that is separated from the township for election purposes, and each city ward constitutes at least one election district. (145)

Between July 1 and September 1 in each election year the secretary of state causes to be delivered to the auditor a notice specifying all the officers to be voted for throughout the county at the next general election, and the auditor then causes a like notice to be delivered to each township, city, and village clerk or recorder in the county. (146)

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(142) Laws, 1937 extra session, 155-157, ch. 88.
(143) The election code of Minnesota is found: Revised Laws, 1905, sec. 6; General Statutes, 1913, ch. 6; Mason's Minnesota Statutes, 1927, 63-120, ch. 6, secs. 255-601; 1938 supplement, ch. 6, secs. 251-1 to 595. See also Minnesota Election Laws, 1938, compiled and anotated by William S. Ervin, attorney general, official publication by the secretary of state.
(144) Revised Laws, 1905, secs. 153, 155; General Statutes, 1913, secs. 298, 300.
(145) Revised Laws, 1905, sec. 156; Laws, 1907, ch. 365; 1909, ch. 175; General Statutes, 1913, sec. 301; Laws, 1925, ch. 420.
(146) Revised Laws, 1905, sec. 158; General Statutes, 1913, sec. 303.

At least sixty days before every general election, the secretary of state transmits to each auditor suitable blank forms for lists, registers, and affidavits, and such other blanks as are required in preparation for the conduct of the election. The secretary of state also sends the auditor copies of the election laws. The auditor delivers copies of the blanks to the clerks of every city, township, and village in the county, with one copy of the election laws for each election judge. (147)

The council of every municipality, at least twenty-five days before the election, appoints three qualified voters in each district to be election judges. Members of the township boards and of village councils, where the village consists of but one district, are judges in the election units in which they reside, and are empowered to make appointments and fill vacancies. General legislation provides that the judges in each district appoint two qualified voters therein as clerks, except that in townships the township clerk, and in villages having but one district and not included in any town district, the village clerk shall serve as one of the clerks in the district where he resides. However, in municipalities of different classes the procedure differs. In some, the council appoints all clerks as well as judges. The statutes impose certain restrictions in regard to having the members of the election board made up of adherents of a single party. (148)

The law provides strict regulation for the handling and counting of ballots. After the votes have been cast and the polls closed, the election judges open the ballot boxes, publicly canvass the votes, and announce the results. (149) Poll lists and registers together with the election returns, which are made out by the clerk and contain the total number of names entered upon the registers, the total number of ballots cast and counted, the office and name of each person voted for, and the number of votes received by each, are immediately delivered to the auditor. A duplicate of the returns is sent to the proper city, village, or township clerk. With the returns delivered to the auditor are the legal ballots in sealed envelopes, as well as all the ballots which are unused or spoiled. The auditor

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(147) Revised Laws, 1905, sec. 159; General Statutes, 1913, sec. 304.
(148) Revised Laws, 1905, secs. 227-229; General Statutes, 1913, secs. 408, 410; Laws, 1925, ch. 420.
(149) Revised Laws, 1905, sec. 303; General Statutes, 1913, sec. 492.

files all envelopes containing ballots and keeps them with the seals unbroken. If ordered by the court to open them for a recount he again seals them after the recount is completed. (150)

Election returns are publicly canvassed within ten days after the election by the county canvassing board, a temporary body composed of the county auditor, the chairman of the county board, and two justices of the peace selected by the auditor from opposing political parties if possible. Any three members of the board present have power to act. After the canvass, this board makes, certifies, and files with the auditor statements which include the number of votes cast in the county for state officers, including presidential electors, members of the legislature, the judge of the district court, the names of the persons for whom the votes were cast, and the number cast for each, the total number of registered names, and the total number of ballots cast; the names of all persons receiving votes for any county office, and the number of votes received by each; the names of all candidates for the office of representative in Congress; the number of votes cast for and against any proposed amendment to the state constitution or other proposals submitted to popular vote. Two copies of the statements are made and certified under the official seal of the auditor. These copies are placed in envelopes marked "election returns" and are directed to the secretary of state. (151)

The board, having completed its canvass, declares the person receiving the highest number of votes for each county office duly elected. When the county constitutes or contains a separate senatorial or representative district, the board declares the persons receiving the highest number of votes respectively, for senator or representative, duly elected. In case of a tie, the result is determined by lot by the canvassing board. The auditor is authorized to make for every officer and member of the legislature elected in the county a certificate of election and deliver it to the person entitled to it, upon demand of any such officer, but not until twelve days after the results are declared by the canvassing board. He may also, upon payment of

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(150) Revised Laws, 1905, 311-316; Laws, 1911, ch. 256, secs. 1, 2; General Statutes, 1913, 500-505; Laws, 1915, ch. 167, secs. 12, 13; 1925, ch. 420, secs. 462-493; 1937, ch. 270, secs. 12, 13.

(151) Revised Laws, 1905, secs. 319, 320; General Statutes, 1913, secs. 512, 513.

a fee, make for any voter of the county a certified copy of any statement of votes made by the county canvassing board. (152)

Primary elections for the selection of candidates to be voted upon at the general elections are held on the third Monday in June preceding such general election. (153) For primary elections, the county canvassing board consists of the clerk of the district court, the auditor, and the chairman of the county board, together with two justices of the peace selected by the judge of the district court. (154) The procedure of canvassing the returns made to the auditor is similar to that for general elections. (155)

Special elections or primaries to fill vacancies in the offices of representative in Congress or member of the state legislature, or in any other elective public office, the filling of which is not otherwise provided for, are called by the governor and are conducted in much the same manner as are the general elections and regular primaries. (156)

The register of deeds is the custodian of all records of the county pertaining to property titles and transfers. The office was established by the territorial legislature, its duties modeled after those of the same office in the Territory of Wisconsin, which in turn was modeled after the office of recorder in the old Northwest Territory. (157)

In pursuance of the functions of his office, the register was to keep suitable books in which he was to record, "at large and in full, word for word", any instrument left with him for

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(152) Revised Laws, 1905, sec. 321; General Statutes, 1913, sec. 514; Laws, 1915, ch. 167, sec. 14. For publication of results in certain counties see: Laws, 1921, ch. 16.
(153) Revised Laws, 1905, sec. 181; Laws, 1912, ch. 2, sec. 1; 1913, ch. 389, sec. 1; General Statutes, 1913, 335; Laws, 1915, ch. 76; 1923, ch. 127, sec. 1; 1925, ch. 420; 1929, ch. 297. See article on "The Law of Primary Elections", 2 Minnesota Law Review, 97, 192.
(154) Revised Laws, 1905, 198; General Statutes, 1913, 353; 1930, Op. Atty. Gen., 237.
(155) Revised Laws, 1905, 196; Laws, 1912, ch. 2, sec. 8; General Statutes, 1913, 351; Laws, 1915, ch. 167, sec. 8; 1933, ch. 244, sec. 7.
(156) Revised Laws, 1905, sec. 161; General Statutes, 1913, 312; Laws, 1929, ch. 297.
(157) Laws, 1849, 75-78, 134, sec. 10.

record, keeping separate books for deeds, mortgages, and other instruments. (158) He was also to keep a "minute of reception", now called a reception book, in which he was to enter all deeds and other instruments left to be recorded and all copies left as cautions or notices of liens. Detailed procedure was outlined for entries in this book and on the back of the instrument. (159)

In addition to his duties as recorder of documents, the territorial register of deeds acted as clerk of the county board and kept its records, (160) supervised assessments and elections, (161) kept accounts concurrently with the treasurer, and attested all orders issued against the funds of the county. (162) In 1851 he was given charge of delinquent tax sales, conveyances, and redemptions. (163) All of these duties were assumed by the auditor in 1858 and 1860. (164)

The original duties of the office as to registration have not been greatly changed, although they have been amplified and more clearly defined. He receives for record all instruments lawfully entitled thereto, and enters the same in the reception book and the numerical register, indexes them, copies them in the proper record books, compares them, pages them, (165) and within thirty days returns the instruments recorded to the proper persons. (166) He also furnishes to the proper persons a certified copy of any instrument on file in his office, and abstracts of title based upon his tract index, (167) which he is authorized to keep. (168)

He is required to keep a grantors' and grantees' reception book in which he enters at once, in chronological sequence under the various letters, a memorandum of every instrument received for record. (169) At the same time, he numbers the instrument

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(158) Laws, 1849, 76, sec. 5.
(159) Laws, 1849, 75, 76, sec. 4; Revised Laws, 1905, sec. 533; Laws, 1909, 263.
(160) Laws, 1849, 76, sec. 7.
(161) Laws, 1849, 76-78, secs. 8-15.
(162) Laws, 1849, 76, sec. 7.
(163) Revised Statutes, 1851, 104-111, ch. 12, secs. 48-94.
(164) General Laws, 1858, 205, ch. 75, art. 15, secs. 8, 11; 210, 211, ch. 75, art. 18, secs. 1, 3, 5, 7; 1860, 43-51, ch. 1, secs. 85-105; ch. 75, secs. 1-72.
(165) General Statutes, 1878, 1:152.
(166) Laws, 1919, 206, 207, ch. 207.
(167) General Statutes, 1923, sec. 900; Laws, 1927, 376, ch. 353; Mason's Minnesota Statutes, 1927, 176, sec. 882.
(168) General Statutes, 1894, sec. 764.
(169) General Statutes, 1894, sec. 762.

and enters it in a consecutive index, or numerical register as it is called. (170) Aside from the books necessary for the recording of the various types of documents, he is required to keep in a separate book an alphabetical index of all instruments on file in his office. (171) In some counties several of these books are combined. The most common example of this is when the deed index and the mortgage index are combined with the numerical register and reception book, thus avoiding considerable duplication.

In 1913 the county commissioners were authorized to direct the register of deeds to transcribe from the state auditor's office lists relating to state lands. (172) The same year the register of deeds was made the sole recorder of chattel mortgages, bills of sale, and conditional sales contracts, and the clerks and recorders of cities, villages, and townships, all of whom had previously been empowered to do such recording, were ordered to turn all such records over to the register of deeds on July 1. (173) Two years later similar action was taken in regard to liens. (174)

The transcription of abstract records was authorized in 1917 and renewed in 1927. (175) The recording of certificates of discharge from the army, navy, and marine corps was provided for in 1919. (176) The recording of city and village plats was required by law in 1851 (177) and permission to correct faulty plats already filed was given in 1923, 1929, and 1931. (178) Public records made by the surveyor or his deputy are also directed to be filed in the register's office, (179) and several years ago the county commissioners were required to procure and file in the office the original plats and field notes of the United States survey. (180)

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(170) General Statutes, 1894, sec. 768.
(171) General Statutes, 1894, sec. 766.
(172) Laws, 1913, 625, ch. 427.
(173) Laws, 1913, 164-166, ch. 143.
(174) Laws, 1915, 496, 497, ch. 364.
(175) Laws, 1917, 121; 1927, 164, ch. 104.
(176) Laws, 1919, 278, ch. 266.
(177) Revised Statutes, 1851, 157, ch. 31, secs. 1-9.
(178) Laws, 1923, 203, 204, ch. 178; 1929, 566, 567, ch. 395; 1931, 410, 411, ch. 319.
(179) Laws, 1919, 633, 634, ch. 480, amending General Statutes, 1913, sec. 981.
(180) General Statutes, 1923, sec. 940.

Other documents and instruments filed and recorded by the register of deeds include the following: assignments of sale of state lands,(a) copies of assignments of real estate for benefit of creditors,(b) certificates of employers' mutual liability insurance association,(c) certificates of incorporation of fraternal societies,(d) certificates of payment of award or judgments in condemnation proceedings against land,(e) certificates of payment of taxes on ditch liens,(f) certified copies of resolutions vacating village streets,(g) county auditor's statements as to ditch liens,(h) record and description of farm names,(i) licenses for stallions from 1907 to 1921,(j) mechanics' liens statements,(k) orders vacating plats,(l) seed grain contracts,(m) army, navy, and marine discharges,(n) cattle brands, (o) and land grants.(p) (181)

The registration of land under the Torrens system, with the register of deeds as registrar of titles, was introduced in Minnesota for counties with a population of 75,000 or more in 1901 and extended to all counties in 1909.(182) Application for registration is addressed to the district court in the county where the land is situated. The district court has original exclusive jurisdiction in the case and has full power and authority to make all necessary orders, judgments, and decrees. Applications are filed with the clerk of court who dockets them in a land registration docket book. All orders, et cetera, of the court in the proceedings are minuted in the docket. A copy of the application is filed for record with the register of deeds and has the force and effect of a lis pendens. An abstract of title to the land is also filed by the applicant with the clerk of court.(183)

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(181) (a) Laws, 1909, 550, 551, ch. 452, sec. 5; (b) General Statutes, 1894, sec. 4228; (c) Laws, 1913, 138, ch. 122, sec. 3; (d) 1907, 521, 523, ch. 369, sec. 1; (e) 1905, 325, 326, ch. 230, sec. 22, amended, 1909, 574, 575, ch. 469, sec. 8; (f) 1907, 742, 743, ch. 470, sec. 25; (g) 1902, 130, ch. 57; (h) 1905, 324, 325, ch. 230, sec. 20; (i) 1909, 166, 167, ch. 154, sec. 1; (j) 1907, ch. 436, repealed, 1921, 326, ch. 293, sec. 16; Mason's Minnesota Statutes, 1927, sec. 5855-1; (k) Revised Laws, 1905, 704, sec. 3511, amended, Laws, 1921, 976, ch. 521, sec. 1; (l) Laws, 1909, 635, 636, ch. 503, sec. 1; (m) Revised Laws, 1905, sec. 3480; General Statutes, 1913, sec. 6995; Laws, 1915, 257, ch. 191; (n) Laws, 1919, 278, ch. 266, secs. 1-3; (o) Revised Statutes, 1851, 140, ch. 27, sec. 1; (p) Laws, 1913, 625, ch. 427.

(182) Laws, 1901, 348; 1905, 454-489, ch. 305; 1909, 205, 206.

(183) Laws, 1901, 348; 1909, 165. For further details see historical introduction to essay on register of deeds.

The office of county coroner was an idea brought to this country from England and was established first in the colonies and later in the territories and states. The office was continued in Minnesota by the first legislative assembly in 1849, and the second legislative assembly defined the duties of the office in detail. (184) The principal duty of the coroner is to inquire into deaths where violence is suspected, hold inquests, order autopsies, issue criminal warrants if the circumstances justify, prepare burial certificates, and make disposition of bodies. (185) The coroner may act as sheriff when for any reason that officer is unable to act. In the absence of the coroner, the judge of probate or any justice of the peace may carry out his duties. (186)

The office of county sheriff, the provisions for which are similar to those under the Northwest Territory and the Territory of Wisconsin, was established in Minnesota by the first legislative assembly in 1849. (187) The sheriff is required to preserve the peace, to attend the district court and give it his protection, to take charge of juries when they leave the jury room, to serve summonses and other legal notices, to collect delinquent taxes as directed by the court, to conduct tax sales, and to supervise the county jail. He may appoint such deputies as are necessary. In many cases the sheriff acts virtually as a state officer and in turn many of the duties originally assigned to him have been assumed and are performed by state and federal officers. The sheriff keeps a jail register of all persons committed, with information concerning each case. (188)

The office of district attorney was established in each county by the legislature in 1851. (189) In 1860 the title was changed to county attorney. (190) The attorney is the chief prosecuting officer of the county, and his other duties are also of a legal character. He gives legal advice to the county board and county officers whenever necessary, and represents the county in all cases in which the county is a party. As counsel for the grand jury, he brings witnesses before it, examines them, and helps prepare indictments. He must attend all terms of the

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(184) Laws, 1849, 6; Revised Statutes, 1851, 73.
(185) Mason's Minnesota Statutes, 1927, secs. 942-957-3.
(186) General Laws, 1871, 156; General Statutes, 1923, 94, 129; Mason's Minnesota Statutes, 1927, secs. 943, 945.
(187) Laws, 1849, 6, ch. 3, sec. 2; 80-83, ch. 23, secs. 1-16.
(188) Mason's Minnesota Statutes, 1927, secs. 905-923.
(189) Revised Statutes, 1851, 69.
(190) General Laws, 1860, 95, 96.

district court, all coroner's inquests, and other courts of criminal jurisdiction when requested. He appears in behalf of the state of Minnesota in all actions involving the quieting of title to lands in the county sold to the state for taxes. He appears for the county in actions to collect delinquent taxes, and penalties and forfeitures under the railroad laws. He is also intrusted with seeing that candidates for office file properly itemized statements of expenses incurred in their campaigns for office. The statutes require him to keep a register of criminal actions, in which he records all cases reported to him with a full record of all facts concerning the case. A transcript of this register for the preceding year is sent to the state attorney general in January. In January of each year the attorney files a statement with the auditor of all moneys received by him, or through his office, during the preceding year, with the names of persons from whom the money was received and for what purpose, and also an account of money paid out. (191)

The educational system of Minnesota originated with the passage of the organic act of March 3, 1849, which provided that two sections in each township be reserved for school purposes. (192) On November 1, 1849, the first territorial legislature passed an act for the establishment and maintenance of common schools. Every township containing not less than five families constituted a school district. Each organized school district was to be a body corporate, capable of suing or being sued, fully competent to transact all business relating to schools or schoolhouses in its own district. In each district trustees, whose duty it was to examine teachers and inspect schools, were to be elected annually at the general election. The clerk of the school district was also to be elected for a term of one year. (193)

Under the state constitution it became the duty of the legislature to establish a general and uniform system of public schools and to provide for their support. The constitution also provided that the proceeds of school lands, granted by the United States for the use of schools within each township, were to remain a perpetual school fund of the state. The legislature was to establish by taxation or otherwise a thorough and efficient system of public schools in each township. The maintenance of the public school system is thus a matter of state as

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(191) Mason's Minnesota Statutes, 1927, 182-185, secs. 924-935.
(192) U. S. Statutes at Large, 9:408, sec. 18.
(193) Laws, 1849, 41-43, secs. 1-5, 7-14.

well as local concern. (194) All schools supported in whole or in part by state school funds are public schools. Admission is free to those between five and twenty-one years. (195) Attendance at either a public or private school is compulsory for those between eight and sixteen. (196)

The office of superintendent of common schools for the entire territory was established in 1851 and was continued, after Minnesota became a state, as superintendent of public instruction. In 1913 this office was abolished, and in its place the office of superintendent of education was created, with the term fixed at four years. General supervision of the public schools was vested in the state superintendent and in the various county, city, and district superintendents, and the state high school board and its inspectors. On July 31, 1919, the high school board and the office of state superintendent of education were terminated and their functions, powers, and duties were transferred to the state board of education. (197)

The state department of education is maintained under the direction of the state board of education, composed of five representative citizens of the state. Appointment to the board is made by the governor, with the approval of the state senate, for a term of five years. The state board of education appoints the commissioner of education and certain other officials of the department. It exercises general supervision over the public schools in the state, including school buildings, teachers' qualifications, curriculum and standards, library and equipment, records and accounting. It issues licenses to teachers and directs the distribution of state aid according to law; it advises superintendents and school boards and assists them in their administration; and it maintains a teachers' employment bureau. (198) Recent legislation authorizes the state board of education to enter into contracts with the United States Department of the Interior for the education of the Indians in Minnesota. (199)

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(194) Constitution of the State of Minnesota, art. 8, secs. 1-3.
(195) Mason's Minnesota Statutes, 1927, sec. 2741.
(196) Mason's Minnesota Statutes, 1927, sec. 3080.
(197) Revised Statutes, 1851, 42; Laws, 1913, 796-798; 1919, 355-359.
(198) Mason's Minnesota Statutes, 1927, secs. 2954, 2958, 2960, 2961, 2963, 2964, 3015; 1938 supplement, sec. 2963, (opinions of the attorney general, May 5, 1937); see also General Statutes, 1913, secs. 2873, 2877; Laws, 1929, 552-559.
(199) Mason's Minnesota Statutes, 1938 supplement, sec. 3047-1.

The state board of education acts also as a state board for vocational education, required for purposes of cooperation under the Federal Vocational Act. The division of rehabilitation and reeducation for the training and instruction of persons whose capacity to earn a living has been destroyed or impaired is not part of the department of education but is under the control of the state board of education acting, not as a board of education, but as a state board for vocational education. (200)

The state commissioner of education is the executive officer and secretary of the state board of education. The office was established August 1, 1919. The term is six years. The commissioner performs the duties formerly required of the state superintendent of education. (201) Nothing in the law of 1919 relating to the state board of education applies to the University of Minnesota or to the state teachers' colleges. (202)

For the purpose of aid to public schools the following funds have been created: the endowment fund, consisting of income from the permanent school fund; the current school fund, consisting of the amount derived from the state one-mill tax; and the special state aid fund, consisting of sums appropriated by the legislature for special aid to public schools or departments in schools. The available current school and endowment funds are apportioned by the state board of education among the counties on the first Monday of March and October in each year in proportion to the number of pupils of school age. (203)

The purposes of special state aid are to assist in providing equal educational opportunities for all school children in the state and in establishing certain generally accepted minimum standards; to assist school districts where the tax levies for maintenance would otherwise be exceptionally high; to stimulate educational progress by grants of state aid for superior

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(200) Mason's Minnesota Statutes, 1927, 1: sec. 2983; 1938 supplement, sec. 2962 (opinion of the attorney general, January 3, 1935); sec. 2983 (opinion of the attorney general, July 7, 1933); U. S. Statutes at Large, 39: 929-936.
(201) General Statutes, 1913, sec. 2873; Laws, 1919, 357; Mason's Minnesota Statutes, 1927, secs. 2962, 2993, 2994, 3022; 1938 supplement, sec. 2958.
(202) Laws, 1919, 358, sec. 5.
(203) Mason's Minnesota Statutes, 1927, secs. 2993, 2994, 3022.

efficiency and high standards and for desirable educational undertakings not yet generally established; to provide for maintenance of teacher training departments in high schools. (204) Application for aid is made to the state board of education. (205) Under a legislative act passed in 1919, Minnesota accepted federal aid offered through an act of Congress relating to vocational education approved February 23, 1917, by authorizing a biennial appropriation of not less than the amount to which the state was entitled under the federal act. (206)

Three main types of primary and secondary school districts exist in the state; common, independent, and special. According to a recent report of the state department of education, there are approximately 7,707 school districts. Common and independent school districts may be organized by the county board upon petition of the freeholders in a manner specified by law. (207) A school census of all children from six to sixteen is taken in every school district, common, independent, and special, between July and October 1. (208)

School boards have general charge of the business of the school districts, of the schoolhouses, and of the interests of the schools. They employ and contract with the necessary qualified teachers. They only, and not the voters, have authority to revoke the teachers' contracts. (209) A pension plan for teachers was established in 1915, under which teachers contributed a yearly sum according to the number of years of service. This was called the teachers' insurance and retirement fund. Under legislation of 1931, effective August 1, 1931, a new plan, called the teachers' retirement fund, was adopted. Teachers eligible to receive annuties under the first plan continued to receive such annuities, but receive only fifty percent of the amount as specified in the original act. Active teachers had a choice of joining the new plan, but all new teachers automatically come under its provisions. The administration of the act is supervised by the county superintendent of schools. (210)

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(204) Mason's Minnesota Statutes, 1927, sec. 3027.
(205) Mason's Minnesota Statutes, 1927, sec. 3036-2.
(206) Laws, 1919, 483, ch. 414, secs. 1-6.
(207) Minnesota Year Book, 1937, 152.
(208) Mason's Minnesota Statutes, 1927, 1: sec. 3086.
(209) Mason's Minnesota Statutes, 1927, sec. 2815; 1938 supplement, 494, sec. 2815 (5); (opinion of the attorney general, May 11, 1934).
(210) Laws, 1915, 268-275, ch. 199, amended, 1925, 554-556; 1931, 556-569; Minnesota Year Book, 1934, 55, 56.

The county superintendent of schools has general supervision of all the public schools of the county except such as are under the immediate charge of a city or district superintendent. In general he visits and instructs each school under his supervision at least once a term, encourages teachers' associations, advises teachers and school boards in the best methods of instruction, the most approved plans for building and improving school buildings and grounds, et cetera, and stimulates teachers, parents, officials, and other citizens in the full, prompt, and proper discharge of their duties in regard to the youth of the county. He conducts an annual meeting of school officers and cooperates with the state department in the conduct of an annual teachers' institute. (211) An important part of his duties is supervising the keeping of proper records by the teachers, the compiling of a full and complete set of records in his office, and making proper reports to the state commissioner of education. (212)

Originally the three trustees in each district were the examiners of the teachers they employed. (213) In 1861 it was provided that each school district should have a district superintendent. (214) In 1862 a general school law was passed under which a school examiner was authorized for each commissioner district, and the county auditor was directed to send reports of each school district to the state superintendent. (215)

The office of county superintendent of schools was established in 1864 as an appointive office in such counties as desired to adopt the system. This superintendent was to transmit the district reports instead of the auditor. The appointment of a county school superintendent was made obligatory in all the counties in 1869. In 1876 an act provided for the election, in certain designated counties, of a county superintendent for a term of two years. An elective superintendent was required in all counties in 1877. (216)

For many years it was an important duty of the county superintendent to examine and license teachers and to revoke

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(211) Laws, 1905, 233, amended, 1913, 514; 1925, 100, 101.
(212) Mason's Minnesota Statutes, 1927, secs. 2902, 2973-2978, 3086.
(213) Laws, 1849, 41-43; Revised Statutes, 1851, 42.
(214) General Laws, 1861, 55, 74.
(215) General Laws, 1862, 26.
(216) General Laws, 1864, 18, secs. 2, 4; 1869, 3, sec. 5; Special Laws, 1876, 186; General Laws, 1877, 133.

such licenses for cause. Fees for examination and for the issuing, renewal, and extension of certificates were sent to the state department. Now only the state board is permitted to perform such duties and the fees are collected directly. The same state board may suspend or revoke a teacher's certificate or license to teach upon written complaint of the school board, the county superintendent, or the commissioner of education. (217)

Before the establishment of the Scott County Welfare Board on July 1, 1937, welfare programs were supervised by various local agencies. Old age assistance, poor relief, and the county home were supervised by the county commissioners and extra-legal boards of public welfare; mothers' aid by the juvenile court, and general child welfare by the child welfare board cooperating with the schools, the courts, and the state board of control.

Territorial law gave the entire responsibility for poor relief to the county commissioners. (218) From 1858 to 1864 each township was required to provide financially for its own resident poor, but their actual care was under the supervision of the county board. The indigent again became a financial charge of the county at large in 1864, when the legislature passed an act making the county commissioners superintendents of the poor. (219) Each commissioner acted as a poor commissioner for his district and brought the cases before the board.

From the first time relief was granted in Scott County, until the establishment of the relief office, the board of county commissioners was the sole agency for the administration of poor relief, except for the administration of mothers' aid by the judge of probate. In 1934, however, the commissioners surrendered their relief duties to an extra-legal board of public welfare, set up for the purpose of administrating state and federal relief funds and extending direct relief to the needy persons in the county.

On July 1, 1937, all categories of public welfare and public assistance were consolidated under the supervision of the Scott County Welfare Board cooperating with the state and federal

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(217) General Laws, 1862 extra session, 23, 24; 1864, 8; Laws, 1929, 553, sec. 3; 557, sec. 10; 558, sec. 11; 559, sec. 14.
(218) Laws, 1849, 1928; Revised Statutes, 1851, 121, 122.
(219) General Laws, 1858, 207; 1860, 129; 1864, 48-58.

agencies. With the exception of direct relief, all these categories of public assistance and public welfare administered by the county welfare board are subject to provisions of the federal social security act. Direct relief is the concern of the state and the county and is subject to the provisions of state laws. Although it is not a direct concern of the county unit, the county welfare board also cooperates with the state board of control in administering aid to the blind, and it cooperates with other state and federal agencies in the supervision of the National Reemployment Service, rural resettlement, drouth relief, and war veterans' relief. The county welfare board is composed of five members. Three are appointed by the county board, and of these one must be, and either two or three may be, from its own membership. Two are appointed by the state board of control from a list of residents submitted by the county board. One of these appointed members must be a woman. The executive secretary appointed by the welfare board has direct supervision of the investigation of the cases, the final disposition of which is subject to the approval of the county welfare board. (220)

The enforcement of public health laws in general is the concern of the state board of health, cooperating with county, city, village, and township boards. The county board in general acts as an observer and compiler of statistical facts, and attends to such other duties in reference to public health as the state board prescribes. In unorganized townships the county board of health acts in place of a local board. Local boards of health existed as early as 1852. The county board was organized on April 11, 1901, and functions when need requires.

Two county commissioners chosen by the board from its own members, and a physician chosen by the county board, are members of the county board of health. The physician is president of the board and is referred to as the health officer. The board may hold monthly meetings. According to regulations of the Minnesota State Board of Health, the county health officer makes quarterly reports to the state board as to the general sanitary condition of the county, with special attention to communicable diseases, particularly rabies and glanders, keeps close watch over apparent epidemic and endemic diseases existing within his jurisdiction, and, if a question arises as to the proper care of such diseases, notifies the secretary of the state board of health in order that an investigation be made. If the county health officer has reasonable belief that the returns of births and deaths for the county are not being made as required by law, he immediately reports such facts or suspicion to the

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(220) Laws, 1937, 463-468, ch. 343.

secretary of the state board. County health officers, at the call of the state board, may assemble once a year to discuss general sanitary problems and to present at such conferences the special sanitary needs of their individual districts. A county board of health may act as an advisory group to local boards of health within the county. (221)

To cooperate with the county board of health, which is directly under the supervision of the state department of health, registered nurses may be employed by the county board, the township board, or the city or village council, to act as hygiene experts for the schools, to assist in caring for the health of the poor, to report cases of communicable diseases, to give health instructions, to serve as visiting nurses, and to perform any other similar duties required by the state board of health. The nurse must make reports to the local body and to the state board of health. (222)

Scott County has no county hospital or sanatorium, and hospitalization has been provided for by the county board in private hospitals and in cooperation with the Minnesota General Hospital at Minneapolis and the state sanatorium for consumptives at Ah-Gwah-Ching, on Leech Lake, near Walker.

In the United States public highways have been constructed by the federal government, by the states, by counties, and by smaller governmental units. Minnesota established a state trunk highway system by constitutional amendment in 1920, but the county is still an important unit in road construction and maintenance. Minnesota roads are classified as state trunk highways, state aid roads, and judicial, county, and township roads. Federal highways coincide with the routes of several of the state trunk highways. Trunk highways are constructed and maintained by the state. State aid roads are constructed by the counties under rules and regulations made by the state commissioner of highways and maintained by the county with aid given by the state road and bridge fund from the state road and gasoline taxes. Judicial roads are laid out by a joint commission and each county constructs, maintains, and supervises the part within its limits. County roads are built and maintained by the county. Township

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(221) Laws, 1901, 381, sec. 4; Mason's Minnesota Statutes, 1927, sec. 5348; Minnesota State Health Laws and Regulations, Minnesota State Board of Health, (March 31, 1932), 47.
(222) Laws, 1919, 35; 1921, 192; 1925, 222.

roads are built and maintained by the townships, sometimes with the cooperation of the counties. (223)

County roads other than those established by judicial authority may be altered or vacated only by the county board. (224)

Judicial roads, which are county roads extending into more than one county, are authorized by the judge of the district in which the road is situated, or, if the road extends into more than one district, by the judge of either of such districts. Acting upon a petition, such judge, if the road is wholly within his district, appoints three special commissioners, or if the road is in more than one district, he appoints five. These commissioners employ a surveyor and helpers and proceed to lay out the road. All surveys follow the lines of the United States survey. The commissioners also appraise and fix damages to be paid to each landowner. Damages and expenses including compensation for right-of-way are paid by the counties in just proportion as determined by the judge. (225) In 1913 a state highway commission was established and all state roads were to be constructed, improved, and maintained by counties under rules and regulations to be made and promulgated by the highway commission. This system was continued until 1920 when the state trunk highway system was established. (226)

General supervision of county roads is vested in the county commissioners who have power to appropriate such sums of money from the county treasury as they think advisable for opening, vacating, resurveying, or otherwise improving them. At the July meeting the county board may include in its annual tax levy an amount not exceeding ten mills on the dollar of taxable valuation for the county road and bridge fund. Such taxes may be in addition to the amount permitted by law for other county purposes. All proceedings in establishing, altering, or vacating roads must be made a matter of record. (227)

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(223) Minnesota Year Book, 1934, 92.

(224) Revised Statutes, 1851, 112, 115; Laws, 1921, 439, ch. 323, sec. 42; Mason's Minnesota Statutes, 1927, 609, ch. 13, sec. 2582; 1938 supplement, 403, 404, ch. 13, sec. 2582.

(225) Laws, 1872, 100, 101, ch. 40, secs. 1-7; General Statutes, 1894, sec. 1883; Laws, 1895, ch. 47; 1901, ch. 213; 1905, 378, 379, ch. 245; 1921, 41, ch. 323; Mason's Minnesota Statutes, 1927, 608, 609.

(226) Laws, 1913, 290-329, ch. 235; 1915, 149-161, ch. 116; Constitution of the State of Minnesota, art. 16.

(227) General Laws, 1873, 109, sec. 56; 1891, 96; Laws, 1921, 425.

Territorial law provided for district road supervisors, one for each election district in the county. (228) Legislation in 1857 provided for a board of road commissioners in each county consisting of two elected commissioners and the county surveyor. (229) The township act of 1858 provided for the choice at each annual town meeting of as many overseers of the highways as there were road districts in the township. (230) The pattern has not materially changed since that time. It is optional with the voters whether the township shall have one or more road districts. Each district has an overseer, and the voters of the township determine whether he shall be elected or appointed by the board. (231)

In 1907 a law made possible the employment of a superintendent of highways in each county. The county surveyor, however, was permitted to perform the duties required of the superintendent of highways. (232) Superintendents of highways were replaced in 1921 by county highway engineers, whose work is confined to road surveys, building, and maintenance. (233) The offices of highway engineer and county surveyor are separate and distinct and may not be held by the same man. (234)

The office of county surveyor was established in 1851 for the purpose of providing an official who could make a correct survey of land in connection with the registration of deeds and titles of land; lay out roads, streets, and alleys; and attend to other matters concerning locations. It was his duty to make all surveys within the county that were ordered by the county board or by any court of record. (235) The highway engineer assumed all duties of surveys and construction of roads by the act of 1921. (236)

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(228) Revised Statutes, 1851, 78-82, art. 10, secs. 1-22, extended, Laws, 1855, 97, 98, ch. 32.
(229) Public Statutes, 1849-1858, 251, ch. 11, sec. 15; Laws, 1857 extra session, 244-248, ch. 62, secs. 1-17; General Laws, 1858, 48-50, ch. 23.
(230) General Laws, 1858, 193, ch. 75, art. 3.
(231) General Statutes, 1866, 190, ch. 13; Laws, 1937, 483, ch. 353.
(232) Laws, 1907, 707, ch. 458.
(233) Laws, 1921, 428, 429.
(234) Op. Atty. Gen., Feb. 8, 1933; Jan. 26, 1935; Jan. 31, 1935. See office sketches for details on highway engineer and surveyor.
(235) Revised Statutes, 1851, 72, sec. 8.
(236) Laws, 1921, 428, 429.

Governmental Organization (First entry, p. 80)

The state, judicial districts, counties, and townships are all authorized to construct drainage ditches. Judicial ditches are constructed and maintained under the jurisdiction of the district court and county ditches under the jurisdiction of the county. Most drainage ditches are either county or judicial. The cost is charged to lands benefited as special assessments which liquidate bond issues. Procedure consists of a petition, a preliminary survey, a public hearing, a final survey, a spreading of assessments, a general notice, and a final public hearing. The county board at various times has hired engineers for public construction including roads and ditches. (237)

The county is a unit for certain official agricultural functions. Each county is entitled by law to one corporation known as the county farm bureau, the object of which is to improve the science, art, and business of agriculture and home economics. The membership must equal one-third of the number of farmers in the county, provided that not more than 200 members be required. To be recognized, the organization must have elected a county farm bureau executive committee from among its members, consisting of a president, a vice-president, a secretary, and a treasurer, and other members as provided for by the county farm bureau association. This executive committee annually formulates a program of work in agriculture and home economics in cooperation with the agricultural extension division of the University of Minnesota and the United States Department of Agriculture.

For the purpose of putting this program into operation, it is the duty of the executive committee of the county farm bureau association and the county cooperative extension committee, acting with the dean of the department of agriculture of the University of Minnesota or his delegated representative, to engage a suitable and qualified person or persons to act as county agents. No agent is continued in any county whose services prove unsatisfactory to the executive committee of the county farm bureau association and the county cooperative extension committee. This committee is composed of the farm bureau executive committee, two county commissioners, and the auditor. A duty of its members in addition to those already specified is to encourage all individuals and organizations to make profitable use of cooperative extension activities. The committee elects its own chairman and vice-chairman who serve for

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(237) Laws, 1901, ch. 258; 1906, ch. 230; Revised Laws, 1905, ch. 230; Laws, 1907, chs. 367, 448, 470; 1909, ch. 469; 1911, ch. 384; 1913, chs. 179, 235, secs. 59, 60.

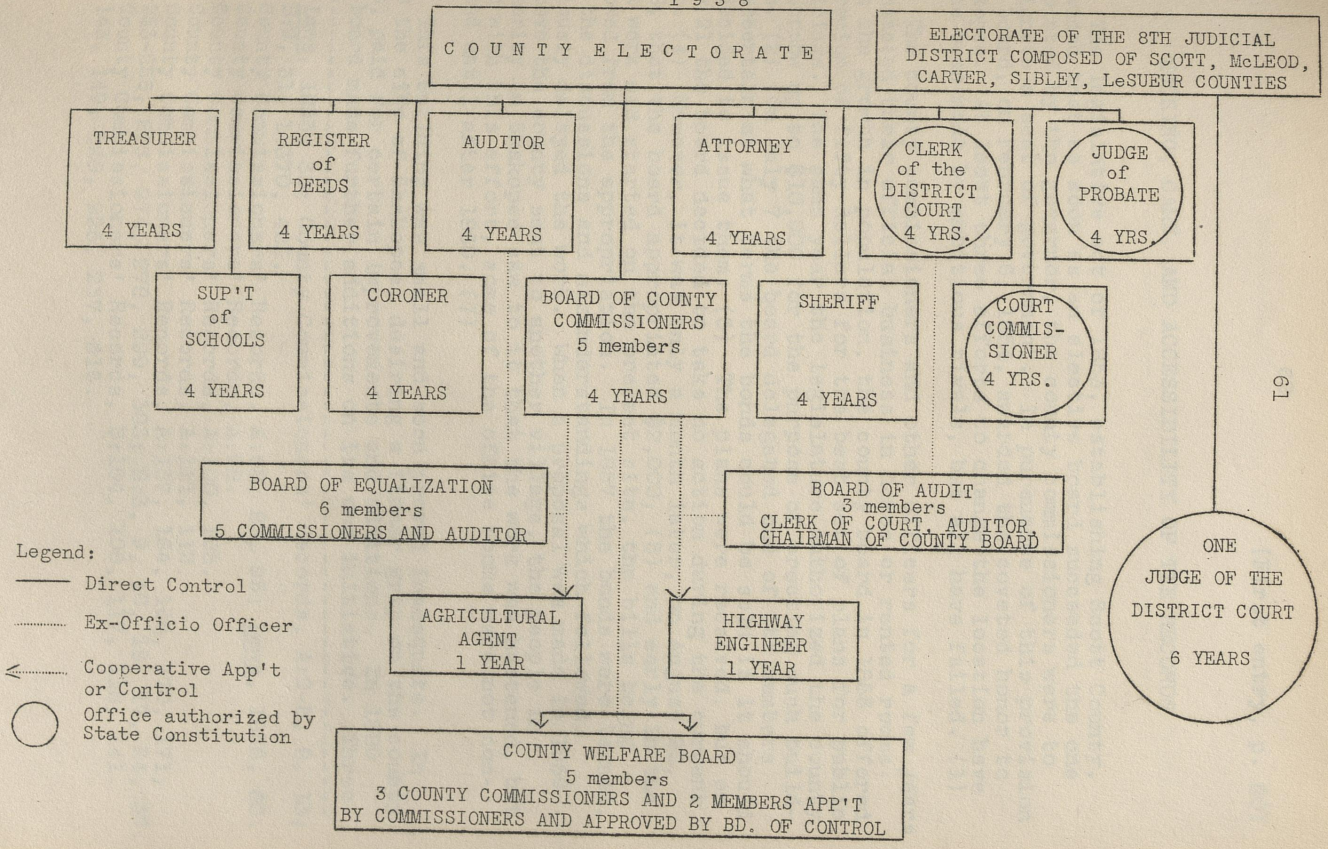
one year. The county agent is required to give aid and advice to all residents of the county when called upon for the purpose of improving the science, art, and business of agriculture and home economics. The auditor acts as secretary (the agricultural agent usually acts for him) of the cooperative extension committee and keeps a record of all its proceedings and forwards copies of all resolutions appropriating funds by the county commissioners to the dean of the department of agriculture of the University of Minnesota.

The duties of the county agent include the organization of 4-H clubs and projects for the development of the agricultural, social, and commercial interests of the citizens of the county. To assist the county agent in this work, many of the counties employ a home demonstration agent. (238)

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(238) Laws, 1923, 629, 632, ch. 423; Mason's Minnesota Statutes, 1927, secs. 6121-6128, 6246.

CHART OF GOVERNMENT, SCOTT COUNTY
1938



(First entry, p. 80)

HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The legislative act of 1853, establishing Scott County, provided that as soon as an elective board succeeded the one appointed by the governor, the county commissioners were to designate a seat of government. In pursuance of this provision the board, on February 6, 1854, awarded the coveted honor to Shakopee. At least three efforts to change the location have since been made by ambitious rivals, but all have failed. (1)

The county commissioners and other officers for a few years transacted their official business in homes or rented rooms. With the growth in population, the county board in 1856 offered a premium of fifty dollars for the best set of plans for public buildings. The same year the legislature authorized the county to borrow up to $10,000 for the purpose of erecting such buildings. (2) On July 7 the board delegated one of its members to ascertain at what terms the bonds could be sold if it should be decided to issue them. (3) The plans were received, but on July 21 the board decided to take no action during the current year. (4) However, it was only a month later, on August 22, 1856, that the board appropriated $2,000, (5) and early in the fall work was started on the present site, the bills being allowed from the appropriation. In 1857 the bonds were issued, but the discussions and misunderstandings which followed seriously delayed the work. When a proposal was made in 1859 to move the county seat to another village, the people in authority in Shakopee saw to it that the work was hastened, but even with this effort, some of the office rooms were not completed until after 1860. (7)

This building was small and soon proved inadequate. In 1878 the city of Shakopee, desiring a firmer grip on the county seat, paid for certain improvements and additions. In 1880 the board made further additions on its own initiative. Three

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(1) Laws, 1853, 33; County Commissioners' Records, A:2-5, 8, 13; B:9, 31; L.370, 425.
(2) County Commissioners' Records, A:68, 85, 95; Laws, 1856, 60.
(3) County Commissioners' Records, A:98.
(4) County Commissioners' Records, A:100, 105.
(5) County Commissioners' Records, A:111, 112.
(6) County Commissioners' Records, A:157, 164, 168, 170, 171, 253-256, 273, 274, 278, 299, 383; B:3, 9, 10, 16, 17, 24, 37.
(7) County Commissioners' Records, B:104, 106, 117, 118, 141, 143, 149, 223, 225, 237, 316.

years later the vaults were improved and the rooms remodeled. In 1894 roller shelves and steel files were installed. (8)

With the passing of years the courthouse was outmoded. In 1927, after a visit by a committee to other counties and an investigation of ways and means, it was decided that the costs of a new building were prohibitive. With the financial assistance of the city of Shakopee the old building was remodeled into the present sightly structure, the county officers transacting their business in a rented building in the meantime. (9) The remodeled courthouse, which is considered one of the finest in the rural counties of the state, is a two-story building of brick and concrete.

On the first floor are the offices of the auditor, commissioners, treasurer, judge of probate, clerk of court, sheriff, and register of deeds. On the second floor are the offices of the attorney, superintendent of schools, and engineer, and also the court room, jury rooms, and judges' chambers.

In the central part of the basement of the courthouse there is a storage place which in earlier years was used for prisoners' cells. This is referred to as the dungeon vault and is very dark and dusty. There is no light of any kind. The vault is 18 inches lower than the level of the boiler room and is in danger of being flooded if ashes should plug the drain in the pit of the boiler room. The older records of most of the offices are stored in this vault and are not arranged in any order, making it difficult to find all the records for any one office.

The office of the auditor is 17 x 30 feet and is lighted by five windows and electric lights. As in the other offices the shelving is of bolted indestructible steel. It is placed along the wall in the main office, 6 feet long and 6 feet high. There are also a few file boxes and drawers for current records. A steel counter, two steel desks, and two chairs accomodate users of the records. The auditor's office vault, entered only from his office, is 17 x 20 feet and is lighted by two windows and electric lights. The floor is concrete and the walls and ceiling are painted. There is steel shelving 32 feet long and 6 feet high along three walls and several file boxes and file drawers to house records. To accomodate users there are one steel desk, one table, one small desk, and three chairs. A

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(8) County Commissioners' Records, E:118, 121, 276, 313; F:43, 57, 253; H:95.
(9) County Commissioners' Records, L:339, 351, 361, 398, 554, 559, 560, 578.

circular stairway leads from this vault to a basement vault, which is similar in construction. In this basement vault the older records are stored. The records of the county board are kept by the auditor.

The office of the clerk of court is 13½ x 20½ feet and is lighted by two windows and electric lights. Only a few file drawers and file boxes are used for current records in the main office. There is a long counter and a desk for the accommodation of users. The office vault is 16 x 16 feet with a concrete floor and plastered walls and ceiling. There is one window and two electric lights. The vault is clean and the records are well arranged. There are 260 feet of bolted steel shelving and file boxes to house the records. They are easily accessible and there are good accommodations for users. The vault has a combination Diebold lock and is closed when the office is closed. The clerk has a basement vault similar in construction in the northwest corner of the basement where older records are stored.

The office of the register of deeds is 16 x 19 feet and is lighted by five windows and electric lights. The records are shelved or filed in the office vault which is about 17 x 19 feet and is lighted by two windows and electric lights. There are 144 feet of steel shelving and file drawers and boxes to house the records. They are easily accessible and there are good accommodations for users. Older records of this office are stored in the dungeon vault in the basement.

The office of the judge of probate is 13½ x 14½ feet and is lighted by two windows and electric lights. There are 60 feet of bolted indestructible steel shelving and a few file boxes and drawers for the records in the main office. The office vault, entered from the office, is 14 x 14 feet and has two windows and electric lights. There are 180 feet of steel shelving and several file boxes to house the records. There are one desk, two tables, and two chairs for accommodation.

The office of the treasurer is 16 x 24 feet and is lighted by three windows and electric lights. There are only six feet of shelving six feet high for records in the main office. There are a counter, a desk, two chairs, and a stool for accommodation. The office vault is entered from the main office and is 8½ x 12½ feet. The vault is clean and dry and is lighted by one window and electric lights. There are steel shelves six feet high and six feet long, a steel safe, and several file boxes for the records. Older records are stored in the dungeon vault.

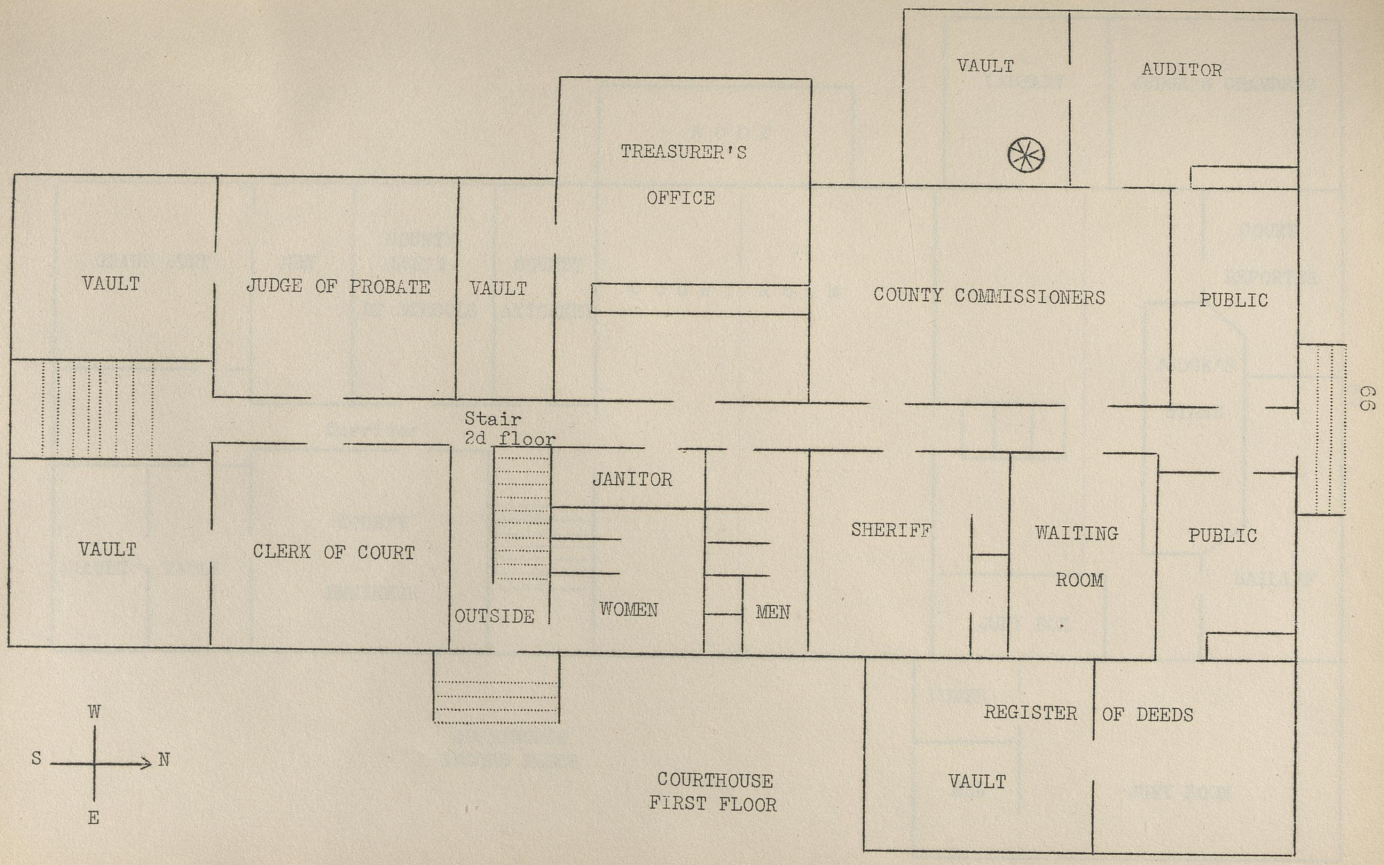
The office of the sheriff is 12 x 14 feet and is lighted by one window and electric lights. A steel safe 5 x 3 x 3 feet is used for records. There are two closets connected with the office in which the sheriff keeps court exhibits.

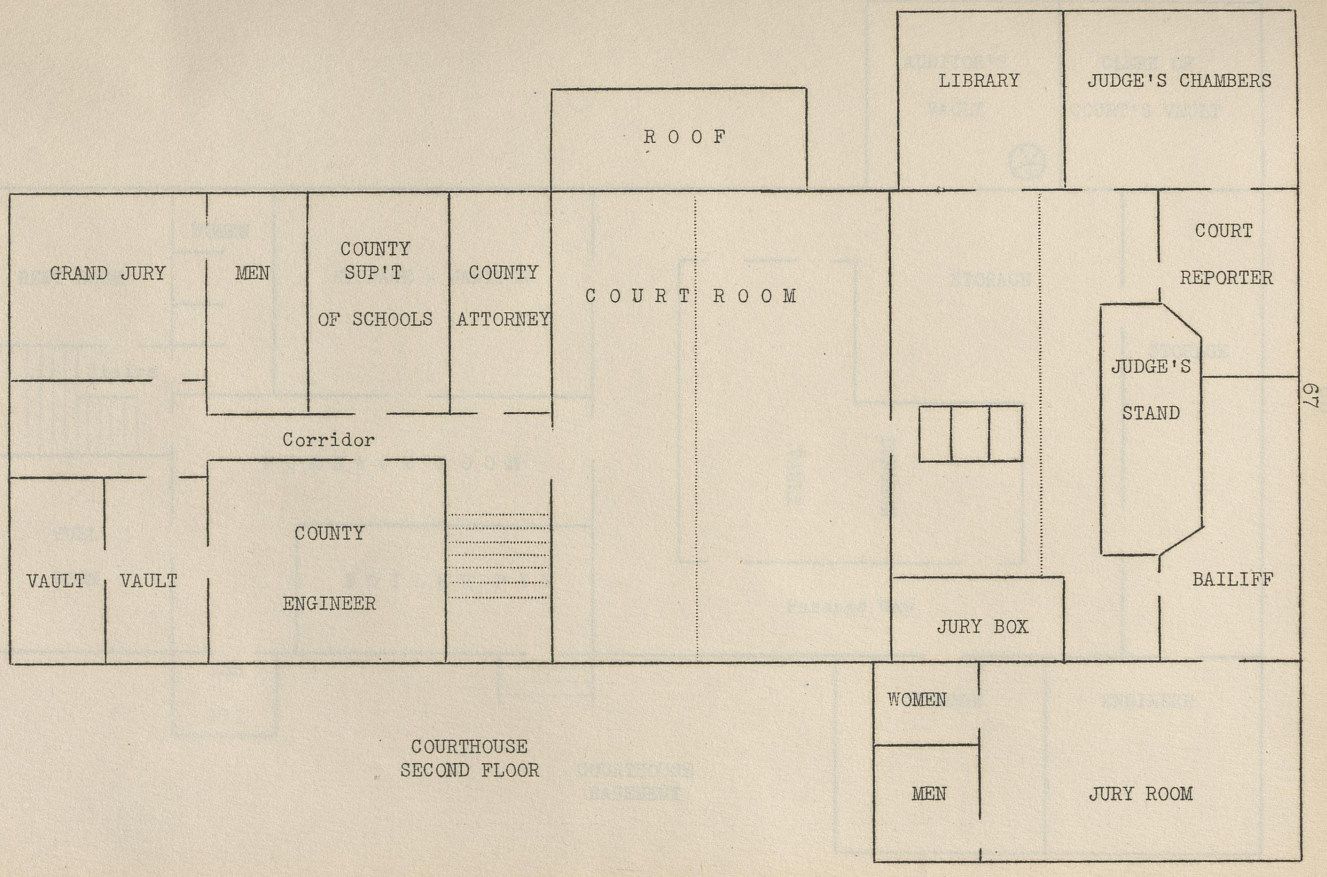
The office of the superintendent of schools is 11½ x 13½ feet and is lighted by one window and electric lights. There are 72 feet of steel shelving in the office, and two file boxes and three file drawers to house the records. The office is well lighted and has accommodation for users of the records.

The county attorney has a private professional office, and an official one on the second floor of the courthouse. This latter office is 8½ x 13½ feet and is lighted by one window and electric lights. The records are accessible and there are accommodations for users. At the time the survey was taken one of the books was in the attorney's office in Belle Plaine; the other was in his office in the courthouse.

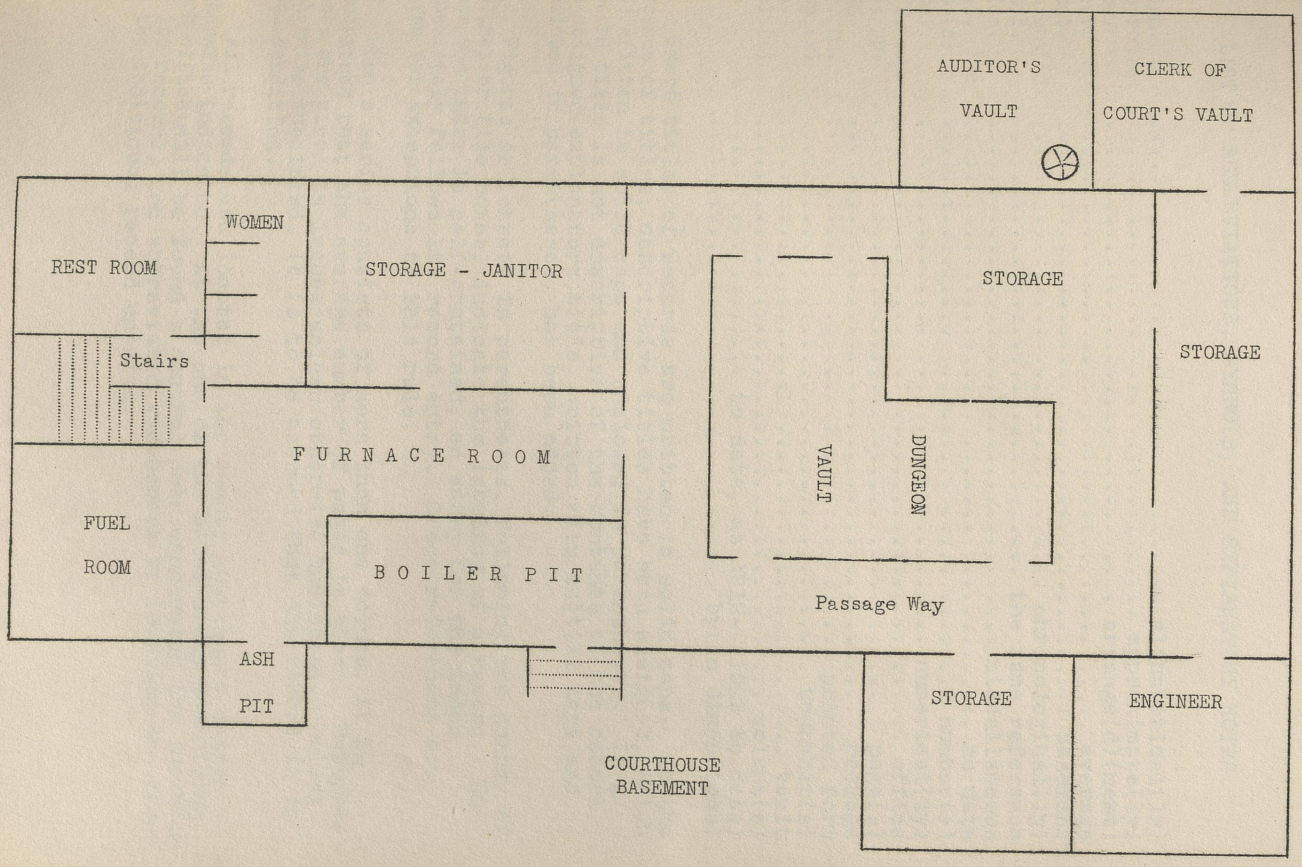
The office of the highway engineer is 13½ x 16½ feet and is lighted by three windows and electric lights. The only records in the main office are found in one file box and three file drawers. The office vault is 7 x 10 feet and is lighted by one window and an electric light. There are 144 feet of steel shelving and three file cabinets to house the records. There are a desk, a counter, a table, and three chairs for the accommodation of users, and the records are easily accessible.

Meager records of the court commissioner, starting in 1895, are found in the office vault of the judge of probate. The records of the coroner are kept in the office vault of the clerk of the district court and in the professional office of the incumbent. Records of the surveys are found in the offices of the register of deeds and of the highway engineer. The records of the agricultural agent are in the agent's office in the city hall at Jordan.


VAULT
AUDITOR
TREASURER'S
OFFICE
VAULT
JUDGE OF PROBATE
VAULT
COUNTY COMMISSIONERS
PUBLIC
Stair
2d floor
JANITOR
VAULT
CLERK OF COURT
SHERIFF
WAITING
ROOM
PUBLIC
OUTSIDE
WOMEN
MEN
W
S
N
E
REGISTER
OF DEEDS
VAULT
COURTHOUSE
FIRST FLOOR



COURTHOUSE
SECOND FLOOR


AUDITOR'S VAULT
CLERK OF COURT'S VAULT
WOMEN
REST ROOM
STORAGE - JANITOR
STORAGE
STORAGE
Stairs
FURNACE ROOM
VAULT
DUNGEON
FUEL ROOM
BOILER PIT
Passage Way
ASH PIT
STORAGE
ENGINEER
COURTHOUSE BASEMENT

(First entry, p. 80)

LIST OF ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.	alphabetical(ly)
approx.	approximate(ly)
arr.	arrange(d)(ment)
aver.	average
bsmt.	basement
chron.	chronological(ly)
ibid.	the same reference
misc.	miscellaneous
n.d.	no date
no.(s)	number(s)
num.	numerical(ly)
off.	office
p., pp.	page(s)
pkg.	package
pr. fm.	printed form
twp.(s)	township(s)
va.	vault
vol.(s)	volume(s)
--	to date, as 1912--(1912 to date)
x	by(in dimensions)

Exact titles of records are written in solid caps. In the absence of titles, descriptive titles have been assigned, which are written in solid caps and enclosed in parentheses. If a record title is not descriptive of the contents of the record, an assigned explanatory title, written with initial caps and enclosed in parentheses, has been added.

Figures or letters in parentheses, following the number of volumes or file boxes, indicate the labeling of a record. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule.

When a series consists of more than one volume, it is understood that the average number of pages is given. Measurements are given in inches unless otherwise indicated. Unless otherwise specified, it is to be assumed that the record is in good condition.

All records are located in the county courthouse unless otherwise indicated. At the end of the brief essay describing each office will be found a general note concerning the location of its records, and abbreviated references to location are given in the individual record entries.

(First entry, p. 80)

1. BOARD OF COUNTY COMMISSIONERS

The board of county commissioners, commonly referred to as the county board, is the chief governing authority in the county. (a) The board is entrusted with the care and control of county property and with the management of county funds and business, except in cases otherwise provided by law. (b)

The powers of the county as a body politic and corporate are exercised only by the county board and pursuant to a resolution adopted by the board. (c) The chairman and vice-chairman of the board are selected from its own members at its first session each year. The chairman presides at the meetings and signs all documents requiring signature on behalf of the board. The signature is attested by the auditor. If the chairman is absent, the vice-chairman performs his duties. If both are absent from any meeting all documents requiring the signature of the board are signed by the majority of the members present and attested by the auditor. (d) Deeds and other instruments made by the county are executed in its name by the chairman of the board and by the auditor. The chairman cannot contract independently of the board. (e) The seal of the auditor is the seal of the board and copies of its proceedings authenticated as required by law are prima facie evidence. (f)

The board levies taxes, borrows money, issues bonds, makes appropriations, and condemns and acquires land. It directs highway and other improvements, and, through control of appropriations and expenditures, keeps a check upon the work of the other officials and departments. The board has power to examine and settle all accounts of receipts and expenses of the county, and to examine, settle, and allow all accounts, demands, and causes of action against the county, and when so settled and allowed, to issue county orders for them as provided by law. The auditor is ex-officio clerk of the board and keeps a record of its proceedings. (g) (1)

The first territorial legislative assembly directed that there be three commissioners elected in each organized county, for a term of three years, to serve as a county board. (2) Under the state government in 1858 the board of county commissioners was superseded by a board of county supervisors. This

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(1) Mason's Minnesota Statutes, 1927, ch. 7; (a) sec. 650; (b) sec. 668, sub. divs. 1, 2; (c) sec. 641; (d) sec. 663; (e) sec. 641; (f) sec. 661; (g) sec. 668. See also Minnesota Year Book, 1937, 138-143.

(2) Laws, 1849, 6, ch. 3, sec. 2.

board was made up of the chairmen of the townships. (3) With the increase in the number of townships the membership of the board increased, and it was soon found that the supervisor form of county government was not practicable. Therefore, in 1860 the board of supervisors was superseded by a board of county commissioners elected by districts. This act made the term of office one year. Counties which had cast eight hundred or more votes at the last election were allowed to have a board of five. (4) An act passed in 1861 changed the term of office from one to three years. (5) A later act passed in 1885 increased the term of office to four years. (6)

Each county is divided into as many commissioner districts as it has members of the board, and each district is composed of contiguous territory and must have as near an equal population as practicable. Counties may be redistricted by the county board after each state or federal census if the board has given three weeks' published notice stating the time and place of a meeting to consider the change. When a county is redistricted there must be a new election of county commissioners for all the districts at the next general election. Either two or three, as the board designates, are elected for two years, and the others for four years. Thereafter the commissioners are elected for four years. Three commissioners, therefore, are elected for their districts at one general election and two commissioners at the general election two years later. (7)

The commissioners are required to take an oath, (8) but, except in the three metropolitan counties, do not file a bond. (9) The oath endorsed upon the back of the certificate of election was at first filed with the clerk of the board. (10) Later legislation provided for filing it with the clerk of the

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(3) General Laws, 1858, 204, ch. 75, art. 15.
(4) General Laws, 1860, 134, ch. 15, art. 2, sec. 1.
(5) General Laws, 1861, 46, 47, ch. 6, sec. 1.
(6) General Laws, 1885, 23, ch. 6, sec. 96.
(7) General Statutes, 1866, ch. 8, sec. 85; Revised Laws, 1905, sec. 420; Laws, 1913, 776, ch. 538; General Statutes, 1913, sec. 679; Laws, 1917, 528, ch. 370; Laws, 1923, 522, 523, ch. 366; Mason's, 1927, ch. 7, sec. 651.
(8) General Statutes, 1894, 1531, ch. 72, title 1, sec. 5634.
(9) Laws, 1903, 554; Revised Laws, 1905, sec. 421; General Statutes, 1913, sec. 680; 1923, ch. 7, sec. 652; Mason's, 1927, 131, sec. 652.
(10) Laws, 1849, 52, ch. 19, sec. 4; General Laws, 1860, 135, ch. 15, art. 2, sec. 5.

district court. (11) At the present time the register of deeds receives and records the documents and then forwards them to the secretary of state. (12)

A vacancy in the office of county commissioner, occurring more than thirty days before an election, is filled by a board of appointment consisting of the chairman of the township board of each township and the mayor or president of each city and village in the commissioner district in which the vacancy occurs. If the commissioner district is wholly within the limits of an incorporated city or village, the vacancy is filled by the council of the municipality. In case the board of appointment consists of an even number and fails to come to an agreement, the county attorney becomes a member. In counties where the township system has been completely abolished, the vacancy is filled by the remaining commissioners and the county auditor. (13) The appointee holds office until the beginning of the official year next following the next ensuing general election. (14) The person elected serves out the unexpired term and not a full term of four years. (15)

The commissioners in turn fill vacancies in offices of auditor, treasurer, register of deeds, sheriff, attorney, surveyor, coroner, and superintendent of schools, for the remainder of the unexpired term. (16)

The board holds monthly meetings through the year, those in January and July being required by statute. (17)

The county commissioners and the auditor serve as a board of equalization of property assessments. This board meets the third Monday in July and may continue in session, adjourning from time to time, for four weeks. It compares the assessments made in the different townships and districts and makes any adjustments which seem advisable. (18)

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(11) General Statutes, 1866, ch. 8, title 3, sec. 9; 1894, 195, ch. 8, title 3, sec. 664.
(12) General Laws, 1874, 233, 234, ch. 89; Revised Laws, 1905, sec. 608; Laws, 1909, 106, ch. 115; Mason's, 1927, sec. 981.
(13) Mason's, 1938 supplement, 657, ch. 7, sec. 660.
(14) Op. Atty. Gen., May 2, 1934.
(15) Op. Atty. Gen., June 5, 1936.
(16) General Statutes, 1923, sec. 822; Mason's, 1927, sec. 659; State ex. rel. Evans v. Bargen, et.al. (248 Northwestern, 744).
(17) Mason's, 1927, ch. 7, sec.652.
(18) General Laws, 1860, 29, 31, 32, ch. 1, secs. 37, 41.

The chairman of the county board, the clerk of court, and the auditor constitute a board of auditors, generally designated the board of audit, which examines and audits the books, vouchers, and accounts of the county treasurer. They meet as such a board at least three times a year without a previous notice to the treasurer. The chairman of the board also serves as a member of the county canvassing board for the canvassing of election returns. (19)

Two members of the county board, together with the executive committee of the county farm bureau and the county auditor, constitute the county cooperative extension committee. (20) Two county commissioners, chosen by the board from its own members, and a physician chosen by the board make up the county board of health. (21)

In connection with its management of county property the board is required to provide offices at the county seat for the auditor, treasurer, register of deeds, sheriff, judge of probate, clerk of the district court, and superintendent of schools, with suitable furniture and heating, safes and vaults, and necessary books and stationery. (a) The board also has power to furnish and maintain a suitable courthouse and jail, but no indebtedness can be created for such purpose in excess of five mills on each dollar of the assessed valuation. (b) (22)

At the regular meeting in January or July the board may appropriate from the county revenue fund a sum not exceeding $1000 to pay incidental expenses of the county officers incurred for postage, necessary express, freight, telephone, telegraph, water and light charges, mileage and per diem of township officers making election returns, provided that no officer receives more than twenty dollars at one time for postage. (23)

County taxes are levied by the county board at its meeting in July of each year, and are based upon an itemized statement of the estimated county expenses for the ensuing year. Taxes are levied in specific amounts and the rates percent are

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(19) General Laws, 1860, 29-31; 1873, 157.
(20) Laws, 1923, 630, 631, ch. 423, sec. 5.
(21) Mason's, 1927, sec. 5348.
(22) Mason's, 1927, ch. 7, (a) sec. 664; (b) sec. 668, sub. div. 3.
(23) Laws, 1849, 54; General Laws, 1860, 138; 1870, 104; 1873, 164; Laws, 1903, 618-620; 1907, ch. 390; 1919, 324, ch. 305; Mason's, 1927, ch. 71, sec. 665.

determined from the total valuation as equalized by the state board of equalization each year, except such general taxes as may be definitely fixed by law. (24)

The county commissioners are directed to make annually, on the first Tuesday after the first Monday in January, a full and accurate statement of the receipts and expenditures of the preceding year with a full and accurate description of each item and, in counties having over 75,000 population, to publish it in a newspaper for three weeks. At the regular meetings in January and July the board must examine and count all funds in the treasury and examine the accounts and vouchers of the auditor and treasurer and make a certificate of the condition of county finances, showing the amount, kind, and character of the funds and all other matters in connection therewith, and file the certificate with the auditor. (25)

The commissioners are authorized to set off, organize, vacate, and change the boundaries of a township subject to the limitations prescribed by law, and they may apportion all uncollected taxes then levied or assessed for the benefit of any township divided by the board and to provide payment when collected. (26)

The board is also empowered upon petition to establish, divide, and number the school districts. (27)

The county board is an important factor in the administration of road affairs. (a) It supervises the construction, improving, and maintenance of state aid, county, and judicial roads, and appoints the highway engineer. (b) It is authorized to provide and set aside a fund for the construction and maintenance of roads and bridges, known as the "County Road and Bridge Fund", upon which all warrants are drawn for the construction and maintenance of state aid, county, and judicial roads. At the July meeting the board is authorized to include in its

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(24) Mason's, 1927, sec. 2057. See also paragraphs on taxation under governmental organization and the historical introduction under the county auditor.
(25) Laws, 1903, 702, ch. 390; 1907, 233, ch. 205; Mason's, 1927, ch. 7, sec. 667.
(26) General Laws, 1868, ch. 75, art. 1, sec. 3; Mason's, 1927, 134, ch. 7, sec. 668, sub. div. 4; 1938 supplement, ch. 7, sec. 668.
(27) Laws, 1849, 41, 43, ch. 7; Mason's, 1927, ch. 14, secs. 2746, 2748.

annual tax levy an amount not exceeding ten mills on the dollar of taxable valuation for this fund. Such taxes may be additional to the amount permitted by law for other county purposes. (c) (28)

Power to lay out, discontinue, or alter county roads and highways in their respective counties was originally given to the county commissioners in 1849. (29) This authority has continued, and the county roads other than those established by judicial authority may be altered or vacated only by the county board. All proceedings in establishing, altering, or vacating roads must be made a matter of record. (30) If in the construction of a public highway it is necessary to destroy or obliterate the section corner, it is the duty of the commissioner of highways in the case of trunk highways, and the county board in the case of other roads, to provide for a permanent marking of corners and the placing of reference monuments by means of which the corners can be readily located. (31) The board is also in charge of the establishing of county drainage ditches. (32)

The county board may acquire lands for a county hospital (33) or tuberculosis sanatorium, (34) or both, and erect buildings after submitting the question to a vote of the people. Two or more counties may join in the undertaking. (35) Scott County has no hospital or sanatorium but cooperates with the state in sending patients to the Minnesota General Hospital at Minneapolis or to the Sanatorium for Consumptives at Ah-Gwah-Ching on Leech Lake. (36)

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(28) Mason's, 1927, ch. 13, (a) sec. 2551; (b) secs. 2562, 2569; (c) sec. 2569.
(29) Laws, 1849, 53, ch. 19, sec. 13.
(30) Mason's, 1927, ch. 13, 2565.
(31) Laws, 1849, 53; General Laws, 1868, 84-86; 1873, 109, sec. 56; 1891, 96, 97; Laws, 1921, 408, 425, 436-439, 540; Mason's, 1927, ch. 7, sec. 779.
(32) Laws, 1901, ch. 258; 1905, ch. 230; Revised Statutes, 1905, ch. 44; Laws, 1907, chs. 367, 448, 470; 1909, ch. 469; 1911, ch. 384; General Statutes, 1913, 5523-5607; Laws, 1913, chs. 179, 235, secs. 59, 60; 1915, chs. 178, 246, 268, 274, 300; 1917, chs. 171, 441; 1919, ch. 471; 1921, ch. 508; 1923, ch. 248; General Statutes, 1923, secs. 6634-6932; Laws, 1925, ch. 415; 1927, ch. 234; Mason's, 1927, sec. 6840-2; Laws, 1933, ch. 312.
(33) Laws, 1913, 553, 555, ch. 392; Mason's, 1927, ch. 7, sec. 677.
(34) Mason's, 1927, ch. 7, secs. 686, 687.
(35) Mason's, 1927, ch. 7, sec. 688.
(36) Authorized by Laws, 1921, 622-630, ch. 411; Laws, 1935, 659-661, ch. 359, repealing Laws, 1933, 660-662, ch. 393.

The board has authority to make limited appropriations for the county agricultural society conducting the county fair, (37) for county agricultural extension work including the salary of the county agent, (38) and for certain expenses for county exhibits at the state fair. (39)

The territorial laws gave the county commissioners entire responsibility for the care of the indigent. (40) From 1858 to 1864 each township was required to look after its own needy under the supervision of the county board. (41) In 1864 the legislature passed an act making the indigent county charges and naming the county commissioners as superintendents of the poor. (42) After the middle seventies special laws were passed for some counties permitting them to have the township system of poor relief. (43) A general law was passed in 1889 giving a county the authority to change from a county to a township system if such action was approved by the state board of control and submitted to a vote at the general election in the county. The county boards were authorized to establish poorhouses and poor farms and to provide for their maintenance. (44)

Complying with the federal social security act of 1935, welfare in Minnesota was administered in such direct categories as aid to mothers with dependent children, (a) old age assistance, (b) seed loans, (c) drouth, (d) aid to veterans and their families,

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(37) Revised Laws, 1905, sec. 434, subdivision 8; Laws, 1913, 705, 706, ch. 478; General Statutes, 1913, sec. 696, paragraph 8; Laws, 1915, 320, ch. 219; Mason's, 1927, ch. 7, sec. 731.

(38) Laws, 1923, 630, 631, ch. 423, sec. 5; Mason's, 1927, ch. 7, sec. 732. See also the historical introduction under the county agricultural agent in this volume.

(39) Laws, 1907, 111, 112, ch. 99, sec. 1; 1909, 28, ch. 26, sec. 1; 1917, 223, 224, ch. 139, sec. 1; Mason's, 1927, ch. 7, sec. 737.

(40) Laws of Wisconsin, now [1849] in force in Minnesota, published in Laws, 1849, 128-130, ch. 60, regulated, Revised Statutes, 1851, 121, ch. 16.

(41) Laws, 1858, ch. 75, art. 3, sec. 2; art. 15, sec. 16.

(42) Laws, 1864, ch. 16, sec. 3.

(43) Examples: Stearns County, Laws, 1877 special session, 293, ch. 234; Carver County, Laws, 1877, 304, ch. 238.

(44) Laws, 1889, 279-283, ch. 170. For more information regarding the administration of relief by the county commissioners of Scott County, see historical introduction to County Welfare Board in this volume.

direct and work relief, et cetera. (e) (45) The county was the center of local administration, and the county commissioners either acted as direct relief agencies or assisted the state board of control in the appointment and organization of such agencies and in providing relief.

In July 1937 all forms of relief were grouped under one head and placed under the supervision of a county welfare board of five members. The board of county commissioners not only has to devise ways and means of raising money to finance the county's share of the welfare board expenditures, but it is also responsible for that body through the power of appointment. Three of its members are named by the county board, and of these one must be, and either two or three may be, from its own membership. Two welfare board members are appointed by the state board of control from a list of citizens which the county board submits. One must be a woman. (46)

The county commissioners at their annual meeting in January are authorized to select from the last poll lists of the different precincts of their respective counties, or of the counties attached to them for judicial purposes, and to make out a list of persons properly qualified to serve as grand jurors and another list of persons to serve as petit jurors. The list must be certified and signed by the chairman of the county board and attested by the auditor. (47) It is then delivered to the clerk of the district court who writes each name on a slip of paper and before the sitting of any district court, in the presence of the sheriff and a justice or judge, draws out the names of persons to serve as grand or petit jurors. The clerk issues and delivers a venire under the seal of the court to the sheriff, commanding him to summon the persons so drawn to appear before the court. (48) At first the list contained the names of fifty persons to serve as grand jurors and seventy-two persons to serve as petit jurors. (49) Later the number was seventy-two for each list, and still later it contained seventy-two names for grand jurors, and one hundred forty-four names for petit

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(45) Laws, 1935, (a) 73-78, ch. 57, 596-599, ch. 326; (b) 643-652, ch. 357; (c) 57-60, ch. 50, 102-105, ch. 70, 693, 694, ch. 379; (d) 31-33, ch. 30; (e) 61-64, ch. 51.
(46) Laws, 1937, 463, 464, ch. 343.
(47) Laws, 1849, 53, 54, ch. 19, secs. 15-17; Revised Statutes, 1851, 60, ch. 8, secs. 15-17; Revised Laws, 1905, sec. 4336.
(48) Revised Statutes, 1851, 536, secs. 5-8.
(49) Laws, 1849, 53, ch. 19, sec. 15; Revised Statutes, 1851, 60, ch. 8, sec. 15.

jurors. (50) Greater lists are authorized in the larger counties. (51) The county board does not draw the jury but simply selects a list of names from which the jury may be drawn. The clerk of court has no authority to draw names from any other list.

Legislation of 1929 conferred upon county boards additional powers. The act passed April 18 of that year gives the board of any county containing land adjoining a city of the first class, but not included within the corporate limits of such a city, the power to control and regulate the platting of subdivisions of land and the laying out of streets and other public ways. In counties which do not contain a city of the first class the power granted by this act does not extend to lands more than five miles from the boundary of a city of the first class. This act does not set aside the jurisdiction over plats of subdivisions exercised by the governing bodies of villages and municipalities located in areas within the scope of the act, provided that upon the failure of the governing body of such a village or municipality and the county board to approve and adopt a plat of subdivision within 60 days of the time of presentation to each respective authority, the approval of the county board shall be final. The board may extend the time of concurrent approval with respect to individual plats of sub-divisions. (52)

In case the records of any office of the county are damaged so as to render any portion of them liable to become illegible, destroyed, or lost, the county board must provide suitable books and cause such records to be transcribed so that the new volumes will correspond in designation, letter or number, and page, to the original record. (53)

During the territorial period certain functions pertaining to the business of the county board were the duty of the register of deeds. (54) In 1858, however, the office of auditor was created and the new officer was designated as the clerk of the board. (55) As such, the auditor is required to attend the meetings of the board and to keep a record of the proceedings. He must also carefully preserve all documents, books, records, and maps for the use of the county commissioners, or other papers

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(50) Revised Laws, 1905, sec. 4336; Laws, 1917, 823, 824.
(51) General Laws, 1885, 532-534; 1889, 154; Laws, 1907, 41, ch. 35, sec. 1; 1909, 226, 227, ch. 200.
(52) Laws, 1929, 246, 247, ch. 225; nothing in this act amended, repealed, or affected Special Laws, 1889, ch. 178.
(53) General Laws, 1891, 143.
(54) Laws, 1849, 76, ch. 21, sec. 7.
(55) General Laws, 1858, 205, ch. 75, art. 15, sec. 8.

that the law provides shall be deposited in his office. For the benefit of the board he prepares an annual financial statement, and in July he reports to the board the status of each county fund. The functions and records of the county commissioners and of the auditor are interlocking to a marked extent. In a general sense, the commissioners bear to the county's business the same relation that a private corporation's board of directors bears to the corporation's affairs, while the auditor's place in the scheme of county management is at least measurably similar to that of the chief executive of the corporation. In prescribing the duties of the auditor in relation to matters touched by the commissioners, the law seldom differentiates between the functions of the auditor as auditor and those of the auditor as clerk or executive officer of the board. The commingling is so complete that it is left almost entirely to inference to determine in some instances whether the auditor is acting as auditor or as clerk or agent of the board. (56)

The first county commissioners of Scott County were Thomas S. Turner, Franklin Wasson, and Comfort Barnes, appointed by Governor Alexander Ramsey in the spring of 1853. (57) The board held its first meeting on April 29 of that year and named a list of county officers. (58) Samuel Apgar, Franklin Wasson, and Comfort Barnes were elected commissioners that fall and took office the following January. (59) Under the supervisor system adopted in 1858, (60) the governing board of Scott County consisted of the twelve township chairmen. (61) As other townships were created the number of board members increased. (62) The supervisor system was found to be cumbersome and expensive and the commissioner system was resumed in 1860. (63) Scott County was divided into five districts (64) and from that time the county board has consisted of that number of members. (65)

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(56) See historical introduction to office of Auditor in this volume.
(57) Laws, 1853, 33.
(58) County Commissioners' Records, A:1, 2, 5.
(59) County Commissioners' Records, A:13.
(60) General Laws, 1858, 204, ch. 75, art. 15.
(61) Scott County Democrat, Oct. 8, 1859.
(62) County Commissioners' Records, A:188, B:5, 41, 49.
(63) General Laws, 1860, 134, ch. 15, art. 2, sec. 1.
(64) County Commissioners' Records, A:103.
(65) Legislative Manual of the State of Minnesota, 1937, 412.

Board of County Commissioners - Proceedings; General Business (1-5)

Proceedings

1. COUNTY BOARD RECORD, 1853--. 14 vols. (A-N). Title varies: Docket, A; Supervisors' Record, B; Record, County Commissioners, C, D; Commissioners' Record, E-I.

Minutes of proceedings of county board meetings, showing date, roll call, and business transacted, including the carrying out of county functions such as road building, poor relief, establishing and changing of school districts, approval of bills and claims, appointment of committees, approval of bonds and other subjects or transactions discussed or acted upon, adjournment, and signature of secretary; also includes minutes of board of equalization. Arr. chron. by date of meeting. No index. Vol. A, condition poor. 380 to 650 pp. 14½ x 8½ x 1½ to 18 x 12 x 3. Off. va.

General Business

2. RECORD OF APPROPRIATIONS, 1895-98. 1 vol.

Appropriations made for the benefit of various townships, showing date, name of township, for what purpose, to whom payable, amount appropriated, amount paid, and to whom paid. Arr. alph. by twps., chron. by date of entry thereunder. No index. Handwritten. 80 pp. 15½ x 10½ x ½. Bsmt. va.

3. RESOLUTIONS OF COUNTY BOARD, MISCELLANEOUS, 1929--. 2 file drawers.

Original resolutions of county board and related papers pertaining to approved and rejected applications for dance hall permits, and bond issues for courthouse repairs. Arr. by subjects, chron. by date of filing thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

4. REJECTED BILLS, 1873--. 1 file drawer, 1 pkg.

Claims rejected by county commissioners, showing amount due, work or service performed, name of worker, amount, date, and reason rejected. Arr. by years, chron. by date of claim thereunder. No index. Handwritten and typed on pr. fm. Drawer, 10½ x 5 x 14; pkg., 4 x 10. Drawer, 1873-98, bsmt. va.; pkg., 1899--, off. va.

For related records see entry 125.

5. COUNTY SEAT REMOVAL PAPERS, 1927-28. 1 file drawer.

Original petitions for change of the county seat to the city of Jordan, Minnesota; also affidavit of publication of petition

and correspondence pertaining to same, showing date of petition, date of publication, and signatures of petitioners. No arr. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

6. PETITIONS FOR PARTIAL RELIEF, 1921-35. 1 file drawer. Petitions to county board for relief of needy families, signed by residents of townships and sent to county commissioners for approval. Arr. alph. by twps., chron. by date of petition thereunder. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

For related records see entries 121-124, 396-402.

7. MISCELLANEOUS PAPERS, 1911-32. 1 file drawer. Estimates of county expenses, copies of district court orders to vacate property, resolutions for street and general improvement work, and livestock board reports to county. Arr. chron. by date of filing. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

8. PROPOSALS FOR WOOD, 1894-1914. 1 file drawer. Contracts for sawing wood, agreements with workers as to wages and time; also includes bids for ditches, culverts, and equipment. Arr. chron. by date of filing. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.

9. BIRTHS AND DEATHS, 1886-1903. 1 file drawer. Yearly report from the clerk of court of the number of births and deaths reported by township and village clerks, showing name of township, date, names of births reported, names of deaths reported, and total number reported. Arr. by years. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

For related records see entry 272.

Roads
(See also entries 109-116, 424-437.)

10. OLD ROAD PETITIONS AND STATE ROADS, 1858-1905. 1 file drawer. Road petitions and state roads proposed, showing date of petition, location of road proposed, and signatures of petitioners. Arr. chron. by date of petition. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Engineer's off. va.

11. ROAD PETITIONS REJECTED, 1896--. 1 file drawer. Notice of hearing upon petition for change of county road, order of hearing and appointment of committee on county road, report

of committee, and final action. Arr. chron. by date of instrument. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.

12. PAPERS PERTAINING TO $250,000 ROAD BOND ISSUE, 1924-27. 1 file drawer.
Correspondence and notices of special meetings of county board relative to bond issues and bids for highway construction jobs. Arr. num. by road no. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.
For related records see entries 134-137.

School Districts
(See also entries 103, 104.)

13. BOUNDARIES OF SCHOOL DISTRICTS, 1869-77. 1 vol. Discontinued.
Sketches of school districts established, showing district number, boundaries, township, range, and section numbers, acres, and fractions of acres. Arr. num. by district no. No index. Handdrawn. 180 pp. 12½ x 7½ x 1½. Dungeon va.

14. COMMISSIONERS' SCHOOL DISTRICT RECORD, 1872--. 3 vols. (one unlettered; A, B).
Record of petitions and orders relative to setting off legal voters from one school district to another, altering boundaries, and forming new school districts, showing date of petition, names of petitioners, date order for hearing posted, date order for hearing filed, date district clerk notified, school district number, legal description of property, order of county commissioners, signatures of president and secretary of board, date, and seal of auditor. Arr. chron. by date of petition. Indexed alph. by names of petitioners. Handwritten on pr. fm. 300 pp. 18 x 12 x 1. Off. va.

15. SCHOOL PETITIONS, 1873--. 2 file drawers.
Original petitions for changes in school district boundaries, formation of new districts, and setting off legal voters from one district to another, with notices of hearing, showing date, plans for changes, signatures of petitioners, location of hearing, and reason for petition. Arr. chron. by date of petition. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.

Board of County Commissioners - (16-19)
Reports; Jury Lists

16. REJECTED SCHOOL PETITIONS, 1866--. 2 file drawers.
Rejected petitions to change school districts, formation of new districts, and setting off legal voters, showing names of signers of petition, cause for rejection, date, and affidavit of publication of school petition. Arr. chron. by date of petition. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

Reports

17. COUNTY COMMISSIONERS' EXAMINATION OF COUNTY, 1897--. 1 pkg., 1 file drawer.
Statements prepared by the county board on the financial condition of the county, showing year, collections and disbursements from all sources, amount of delinquent taxes, amount of outstanding warrants and bonds, liabilities and assets, date, and signatures of chairman and secretary. Arr. by years, chron. by date of statement thereunder. No index. Handwritten and typed on pr. fm. Pkg., 8½ x 14 x 17; drawer, 10½ x 5 x 14. Pkg., 1897-1913, dungeon va.; drawer, 1913--, bsmt. va.

18. GRAND JURY REPORTS, 1883-1927. 1 file drawer.
Reports of grand jury regarding condition and management of Scott County, showing date of report, finding of the jury, and signature of the foreman. Arr. chron. by date of report. No index. Handwritten under pr. heads. Condition fair. 10½ x 5 x 14. Bsmt. va.

Jury Lists
(See also entries 253-258, 294.)

19. COMMISSIONERS' JURY RECORD, 1919--. 5 vols. (labeled by district nos. 1-5).
Lists of petit and grand jurors selected by county commissioners, showing name of commissioner, district number, names and addresses of jurors selected, and date. Arr. chron. by date of list. No index. Handwritten on pr. fm. 160 pp. 11 x 8 x 1. Off. va.

(Next entry 20, p. 95)

II. AUDITOR

The auditor's office is the clearing house of the county's business. As clerk of the county board, the auditor records its proceedings. As the principal accounting and comptrolling officer of the county, he keeps books concurrently with the treasurer, issues all warrants against the county funds, receives duplicates of all tax receipts, and prepares various financial reports. He compiles all tax assessments, sits with the board of equalization, computes all tax levies, prepares delinquent tax lists, has general charge of elections, is a member of the canvassing board and the board of audit, and is secretary of the cooperative extension committee. In addition to this, he issues various licenses, files various certificates, and performs many other duties imposed upon him from time to time by the legislature. (1)

The term of office, originally fixed at two years (2) was extended to four years in 1913. (3) The auditor may be removed by the governor subject to appeal to the courts, (4) and vacancies in the office are filled by the county board for the remainder of the unexpired term. (5) In order to qualify the auditor is required to take an oath of office and file a bond with the state. (6) The bond is approved by the county board as to amount and surety, recorded by the register of deeds, and with the oath is sent to the secretary of state, who, after the bond is approved by the attorney general as to form and execution, places the oath and bond on file in his office. (7)

The auditor may, by certificates in writing, appoint deputies who are empowered to sign all papers and do all other things which the auditor may do. The auditor must require bonds of the deputies in such amount and with such sureties as he deems proper. The bond together with the certificate, upon which is

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(1) For current duties of the auditor see Mason's Minnesota Statutes, 1927, 163-167, secs. 823-838.
(2) General Laws, 1858, 205, 206, secs. 8, 9.
(3) Laws, 1913, 668, ch. 458; 233, ch. 168.
(4) Mason's, 1927, sec. 6954.
(5) Mason's, 1927, sec. 659.
(6) General Statutes, 1894, 1: ch. 8, sec. 708; 1923, 113, ch. 7, sec. 826; Mason's, 1927, 162, ch. 7, sec. 826.
(7) General Laws, 1874, 233, 234, ch. 89; Revised Laws, 1905, sec. 608; Laws, 1909, 106, ch. 115; Mason's, 1927, 192, sec. 981.

endorsed the oath, is filed in the same manner as the oath and bond of the auditor. (8)

The office of county auditor was created by the legislative act providing for township organization in 1858. The act empowered the county supervisors to appoint a clerk who was to hold office until a successor, chosen at the next general election, should be duly qualified. This clerk was to be styled the county auditor.

Upon assuming office the first auditor took over various duties which hitherto had been performed by the register of deeds. He acted as clerk of the county board, he had charge of tax assessments, he was to draw warrants for all claims approved by the county board, and he was required to keep accounts current with the treasurer, to charge the treasurer with all moneys paid into the treasury, and to credit him with all moneys paid out of the treasury. The act defining these powers provided that it should be the duty of the register of deeds in all cases, on demand, to deliver to the board of supervisors all books, records, documents, tax rolls, tax lists, reports, and papers in his office in any way relating to taxes or tax sales in the county, together with all moneys collected by him for or on account of taxes. (9)

In accordance with the legislative act of 1860 providing for the abolishment of the supervisor system of county government and the reestablishment of the commissioner system, the auditor continued to act as clerk of the board. He was also entrusted with the supervision of elections (10) and with the duties involved in the sale of lands for unpaid taxes and the conveyance and redemption thereof. (11) These duties had hitherto been in charge of the register of deeds. This same year a county board of equalization was created for the purpose of equalizing property assessments. (12) Before the establishment of the board of equalization, the county commissioners had reviewed the assessments annually in July. (13)

The tax code of 1860 was amended the following year, and since then the procedure has not greatly changed. The act provided that the auditor annually, on or before the first Monday

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(8) General Statutes, 1923, sec. 831.
(9) Laws, 1858, 205, 206, ch. 75, art. 5, secs. 8, 9.
(10) General Laws, 1860, 146-165, ch. 75, secs. 1-72.
(11) General Laws, 1860, 43-51, ch. 1, secs. 85-105.
(12) General Laws, 1860, 29, ch. 1, sec. 37.
(13) Laws, 1849, 54, 55, ch. 19, secs. 18, 25.

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in May, should make out and deliver to the assessor an assessment roll of all lands and lots which had become subject to taxation, and which had not been appraised for that purpose, directing the assessor to assess the same and make returns to him on or before the first Monday of the following month of August; that he should ascertain whether all taxes were paid on real property; that he should make settlement with the county treasurer on or before the last day of February and on or before October 10 annually, and that he should open an account with each township, city, incorporated village, or school district, in which, immediately after his semiannual settlement with the treasurer in each year, he should credit each township, city, incorporated village, or school district with the net amount collected. (14)

The auditor annually furnishes the necessary books and blanks for each assessment district, and in the even-numbered years lists all lands or lots that are subject to taxation. These books are delivered to the assessors at the annual meeting held under the direction of the auditor on or before the third Monday of April in each year. After the assessment is made, the valuations are gone over by the township board of review on the fourth Monday of June, and the books and lists are then returned to the auditor. (15)

The county board of equalization, of which the auditor is a member, meets annually in July and reviews the assessors' returns as corrected. The record of the proceedings and orders of the board as kept by the auditor are published, and a copy, together with the abstract of assessments, transmitted to the state auditor on or before the fourth Monday of August. (16) The latter provision dates from 1875, when it was required that the county auditor transmit to the state auditor an abstract of the real estate assessment on the last Monday of August 1874 and every two years thereafter. (17)

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(14) General Laws, 1860, 53, ch. 1, amended, 1861, 31-37.
(15) General Laws, 1860, 11-29; 1874, 3-77; General Statutes, 1894, sec. 1537; Laws, 1903, ch. 246; 1905, 103, 104, ch. 86; 1913, 735, ch. 503; 1917, 435, ch. 297; 1921, 138, 139, ch. 86; Mason's, 1927, (auditor's duties) sec. 1986; (assessor's duties) sec. 1990; (township board of review) sec. 2034.
(16) Mason's, 1927, secs. 2049, 2050, 2052.
(17) General Laws, 1875, 22-43.

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The Minnesota Tax Commission, to which the auditor also sends an abstract, equalizes the assessments, and the auditor corrects his rolls in accordance with its instructions. (18) A copy of the assessment rolls as equalized is sent to each city, village, township, and school district clerk or recorder on or before the first Tuesday in March of each odd-numbered year. (19)

The county tax levy, based upon computation of the auditor, is made by the county board in July. City, village, and school levies are certified to the auditor before October 10 of each year. The auditor then determines the tax rate based upon the equalized assessment rolls and the various tax levies, adds the special assessments and the state rate which is determined by the state auditor, and proceeds to make out the tax lists. (20) The lists must be completed and a copy sent to the state auditor on or before the first day of January in each year, (21) while a complete set of the lists must be delivered to the county treasurer for collection on or before the first Monday in January of each year. (22)

The county auditor receives from the county treasurer, on the last days of February, May, and October, a complete settlement of his receipts and collections for all purposes from the date of the previous settlement. This settlement includes complete returns of his collections on the current tax lists, showing the amount received on account of each of the several funds included in the lists. (23) On the same days, the auditor and the treasurer make distribution of all undistributed funds remaining in the county treasury, apportioning the various funds as provided by law, and placing the amounts to the credit of the state, township, city, village, or school district, and to each county fund. Immediately afterward the auditor draws warrants for the amounts collected and belonging to the state or to the local units. Twenty days after the distribution, and thirty

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(18) Mason's, 1927, secs. 2366, 2367.
(19) Mason's, 1927, ch. 11, sec. 2054.
(20) General Laws, 1878, 38, sec. 48; General Statutes, 1878, 225, sec. 48; General Laws, 1885, 106, 107; Mason's, 1927, secs. 2056-2059.
(21) General Laws, 1875, 22-43; Mason's, 1927, ch. 11, sec. 2073; 1938 supplement, ch. 11, sec. 2073.
(22) Mason's, 1927, ch. 11, sec. 2074; 1938 supplement, ch. 11, sec. 2074.
(23) Revised Laws, 1905, sec. 883; Laws, 1911, ch. 225, sec. 1; Mason's, 1927, ch. 11, sec. 2082; 1938 supplement, ch. 11, sec. 2082.

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days after each settlement, the county auditor makes a report to the state auditor. (24)

The auditor still has charge of the conduct of elections under the powers granted him in 1860. (25) Such elections are general, primary, and special. Local elections for city, village, township, and school district officers are outside his administration and are conducted by local officers. Primary elections are held on the third Monday in June preceding any general election. (26) Prior to each primary election the county auditor receives filings for county offices and for legislative candidates when the district lies wholly within the county. (27) He also receives from the secretary of state, not more than thirty days before the primary, a list of the names of candidates whose certificates have been properly filed and who are to be voted upon within the county. To these the auditor adds the names of the candidates whose certificates have been properly filed in his own office, and at least fourteen days before the primary prepares for public inspection a sample party ballot and a sample non-partisan ballot. These ballots are posted in a conspicuous place in the auditor's office and the public notified thereof in an official county newspaper at least one week before the election. Ballots for the election (28) and the tally sheets and books are furnished by the auditor. (29) The vote is counted and returns made and sealed and delivered to the auditor in the same manner as provided by the code for general

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(24) Mason's, 1927, secs. 2083, 2084; 1938 supplement, secs. 2083, 2084; 28 Minnesota Reports, 197; 79 Minnesota Reports, 201; 83 Minnesota Reports, 512; 88 Minnesota Reports, 346; 101 Minnesota Reports, 294.

(25) General Laws, 1860, 153-159, ch. 75, secs. 18-21, 24-26, 29, 30, 38, 44, 45.

(26) Revised Laws, 1905, sec. 181; Laws, 1912, ch. 2, sec. 1; 1913, ch. 389, sec. 1; General Statutes, 1913, ch. 335; Laws, 1915, ch. 76; 1923, ch. 127, sec. 1; 1925, ch. 420. See also "The Law of Primary Elections," 2 Minnesota Law Review, 97-192.

(27) Revised Laws, 1905, sec. 184; Laws, 1907, ch. 226; 1909, ch. 95; 1912, ch. 2; 1913, ch. 389, sec. 3; General Statutes, 1913, 339; Laws, 1933, ch. 244; 1937, ch. 93.

(28) Revised Laws, 1905, sec. 186; Laws, 1912, ch. 2, sec. 4; General Statutes, 1913, sec. 341; Laws, 1915, ch. 167, sec. 4; 1925, ch. 420; 1933, chs. 172, 244.

(29) Revised Laws, 1905, sec. 197; Laws, 1912, ch. 2, sec. 9; General Statutes, 1913, sec. 352; Laws, 1925, ch. 420, sec. 311.

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elections. (30) The temporary county primary canvassing board, consisting of the auditor, the chairman of the county board, the clerk of the district court, and two justices of the peace appointed by the judge of the district court, canvasses the returns on the second day after the election, and certifies the nominees. (31) Four days later the auditor certifies to the secretary of state all candidates who are to be voted for in more than one county. At the same time he sends a notification of nomination to each candidate to be voted upon in the county alone. (32) Ten days after the primary the state canvassing board canvasses the votes of all candidates voted upon in more than one county, notifies the county auditors of the results, and also sends a notice to each nominee. (33)

General elections are held in the several election districts on the first Tuesday after the first Monday in November in each even-numbered year. All elective state and county officers, judges of the supreme and district courts, members of the legislature, and representatives in Congress are chosen at the general election next before their respective terms expire. At such election held in the year preceding the expiration of a term of president of the United States, presidential electors are also chosen. (34)

Between July 1 and September 1 in each general election year, the secretary of state sends to the county auditor a notice specifying all the officers to be voted for throughout the county at the coming election. The county auditor then causes a like notice to be delivered to each city, village, and township clerk in the county.

At least sixty days before every general election the secretary of state transmits to the county auditor a sufficient

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(30) Revised Laws, 1905, sec. 196; Laws, 1912, ch. 2, sec. 8; General Statutes, 1913, sec. 351; Laws, 1915, ch. 167, sec. 8; 1933, ch. 244, sec. 7. Election code: Revised Laws, 1905, ch. 6; General Statutes, 1913, ch. 6; Mason's, 1927, 63-120, ch. 6, secs. 255-601; 1938 supplement, ch. 6, secs. 251-1 to 595.

(31) Revised Laws, 1905, sec. 198; General Statutes, 1913, sec. 353.

(32) Revised Laws, 1905, sec. 199; Laws, 1912, ch. 2, sec. 10; General Statutes, 1913, sec. 354; Laws, 1915, ch. 167, sec. 9.

(33) Revised Laws, 1905, sec. 200; Laws, 1912, ch. 2, sec. 11; 1913, ch. 389, sec. 5; General Statutes, 1913, sec. 355; Laws, 1915, ch. 167, sec. 10; 1929, ch. 280.

(34) Revised Laws, 1905, ch. 153; General Statutes, 1913, sec. 298.

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number of suitable blank forms for lists, registers, and affidavits and such other blanks as are required in the preparation and conduct of elections, and also copies of the laws which pertain to the duties of election officers. The auditor then delivers to the clerk of every city, township, and village in the county the necessary copies of the blanks and one copy of the election laws for each election judge. (35)

Three weeks or more before the election the secretary of state sends to the county auditor sample copies of the official state ballots, and at least fifteen days before the election sends him the official ballots. (36)

After the election the auditor receives and opens the election returns. Within ten days the temporary county canvassing board canvasses the returns. A statement is drawn up giving the result of the election in all cases where the candidate or issue was voted upon in more than one county. Two copies of the statement are sent by the county auditor to the state auditor. The board then declares the election of the successful candidates for county offices and for members of such legislative districts as constitute, or lie wholly within, the county. For such officers and representatives, the auditor, after twelve days, issues a certificate of election. For a fee the auditor is required to furnish to any voter a certified copy of any statement of votes made by the county canvassing board. (37)

The county canvassing board originally consisted of the register of deeds and two justices of the peace selected by him. (38) In 1860 the board consisted of the auditor and any two justices whom he might choose. (39) The vote for county commissioners was to be canvassed by the auditor alone. (40) At the

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(35) Revised Laws, 1905, secs. 158, 159; General Statutes, 1913, secs. 303, 304.

(36) Revised Laws, 1905, secs. 164, 165; General Statutes, 1913, 316, 317; 149 Minnesota Reports, 146; 182 Northwestern Reporter, 987.

(37) Revised Laws, 1905, secs. 319-322; General Statutes, 1913, secs. 512-515. For declaration of election by county canvassing board see also: Laws, 1915, ch. 167, sec. 14; and for certificates of elections and copies of returns, see: Laws, 1935, ch. 199.

(38) Laws, 1849, 77, ch. 21, sec. 9; Revised Statutes, 1851, 44-53.

(39) General Laws, 1860, 164, ch. 18, secs. 71; ibid., 286-292.

(40) General Laws, 1860, 139, ch. 15, sec. 25.

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present time the board consists of the auditor, the chairman of the county board, and two justices selected by the auditor. (41)

Special primaries and elections are conducted and canvassed in practically the same manner as the regular elections and primaries. The canvassing board consists of the county auditor, the county treasurer, and the clerk of the district court. (42)

Upon the written request of the state commissioner of highways the auditor furnishes a copy of the proceedings, documents, and plats relating to the establishment of any road that is taken over by the state as a trunk highway. When the county board designates any road as a state aid road, the auditor transmits to the state commissioner of highways a copy of the resolution together with a description of the road. Thereafter he carefully files the statements relating to the construction or improvement of such roads, together with bridge plans, specifications, and costs. From the orders on file in his office establishing township roads he furnishes township officers, upon request, copies of the description, field notes, and plats of such roads. He also files appeals of any taxpayer dissatisfied with any decision of the county board in establishing, altering, or discontinuing any state aid or county road. (43)

The auditor must prepare annually a financial statement of the county, unless otherwise ordered by the county board. At each regular annual meeting of the board in July, the auditor presents a statement in writing showing the amounts levied for the various county purposes for the current year, together with the actual cash balance, if any, remaining to the credit of each fund at the date of such meeting, and the amounts, if any, still unpaid on account of contracts already entered by the board. (44)

The auditor is secretary of the county agricultural extension committee and is responsible for the records of its proceedings which, however, are actually recorded and kept by the agricultural agent. (45) Since 1873 the auditor, the chairman of the county board, and the clerk of the district court have constituted a board of audit. (46)

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(41) Revised Laws, 1905, sec. 319; General Statutes, 1913, sec. 512.
(42) Laws, 1929, ch. 297.
(43) Laws, 1921, ch. 323.
(44) General Laws, 1860, 69, ch. 3, sec. 12; 76, sec. 33; Revised Laws, 1905, secs. 488, 490; General Statutes, 1913, secs. 818, 821; Mason's, 1927, secs. 832, 835.
(45) Laws, 1923, 631, ch. 423, sec. 7; Mason's, 1927, sec. 6127.
(46) General Laws, 1873, 157, ch. 38.

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Among the auditor's duties is the issuing of licenses, such as licenses for fishing, hunters and trappers, auctioneers, transient merchants, hawkers and peddlers, ferries, and rural liquor and dance hall permits. Auctioneers' licenses are recorded by the auditor in a book kept for that purpose. (47) Records are also kept of the other licenses issued. The auditor is empowered to draw warrants on the county for bounties and rewards for killing wolves and certain other animals, birds, and reptiles; for bonds for bridges over navigable rivers on the state boundary; for drainage work and damages; for fees for publication of notices and lists of delinquent taxes; for expenses for the reassessment of taxes; for refundment of taxes that are overpaid; for the distribution of tax moneys to any township, city, village, or school district; for distributive share deposited with the county treasurer; for county expenses and disbursements; for clerk hire for the register of deeds; for fees of coroner's jury and fees in lunacy proceedings; for jailer's compensation; for hospital; for aid to dependent children; for old age assistance; and for relief of the poor.

Reports, papers, and documents filed with the auditor or sent to him include copies of statements by the attorney general as to the purpose and effect of proposed amendments to the constitution; copies of election laws; copies of proclamations directing special elections; election blanks; affidavits of candidates for office; election returns; notices of election contests; printed instructions for voters; summaries of votes; ballots; ballot boxes; blank bonds for county officers furnished by the secretary of state; employment bureau bonds; certificates of attendance on coroner's jury, of condition of the county treasury, of election to determine incorporation of villages, of nomination by voters, and of village elections; lists of delinquent real estate taxes; lists of assessments of benefits from establishing a uniform stage of water; certified statements of claims of health officers; certified copies of orders vacating plats; oaths and bonds of members of the school boards; copies of orders fixing compensation of the county attorney; verified accounts of the county attorney; reports of county officers of fees received; reports of the engineer in county drainage proceedings; reports of organization of townships; reports of topographical surveys; applications for ferry licenses; papers on incorporation of villages; petitions for establishment of section lines; receipts for deposits with the county treasurer by executor and administrator, for distribution of taxes, for fines paid to the state agricultural

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(47) Revised Laws, 1905, sec. 2813, amended, Laws, 1909, 296, ch. 249; 1913, ch. 11, sec. 1; 1917, 106, ch. 87, sec. 1.

society, and receipts to the auditor for payments to the state treasury; orders and findings in drainage proceedings; judgments on appeal in drainage proceedings; levy of taxes for support of poor; lists of persons subject to militia service; maps, profiles, et cetera, of state ditches; monthly reports to the auditor by county depositories; records and reports of the county superintendent of schools; statements of expenditures for training school and for teachers' institutes until 1925; and sheriff's statements of board given prisoners in the county jail. Some of these records properly belong to the board of county commissioners.

For many years the bonds and oaths of the judge, clerks, employees, and referees of the probate court were filed with the county auditor, and such documents thus filed were still preserved by that officer, although all those filed since June 30, 1935, are now preserved by the secretary of state. (48)

The auditor is authorized, with the approval of the county board and the judge of the district court, and, in the case of treasurer's checks, the additional written consent of the treasurer, to destroy certain papers after a certain specified time. These papers include claims and vouchers, receipts for taxes, receipts for mortgage registration taxes, treasurer's checks, miscellaneous receipts, delinquent tax statements, ballots and election returns, except abstracts of the county canvassing board and miscellaneous papers and correspondence. Papers of historical value, however, instead of being destroyed, may be forwarded by the auditor to the Minnesota Historical Society. (49)

Records kept by the auditor are open to inspection by the public during the hours his office is open or is required by law to be open; and upon the demand of any person who pays the required fee the auditor is required to furnish a copy of any record, file, or paper in his office or in his official custody. (50)

When requested to do so by the county board, the auditor is required to transcribe any book or books of record in his office which are in such a condition as to become liable to destruction. Upon termination of his office the auditor is required to deliver

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(48) Laws, 1937, 440, 441, ch. 321.
(49) Laws, 1927, 392, 393, ch. 275; 1929, 72, ch. 66; Mason's, 1927, ch. 7, sec. 836; 1938 supplement, ch. 7, sec. 836-1.
(50) Mason's, 1927, 192, ch. 7, secs. 987, 988.

to his successor all moneys, books, records, maps, documents, papers, vouchers, and other property in his keeping belonging to the county. (51)

It appears from the official records of Scott County that the register of deeds, J. R. Hinds, was acting as clerk of the county board in 1858. In July 1858, when the county board of supervisors met, Mr. Hinds asked Charles Harkens to act as clerk of the board in his place. When the board met again in September the office of clerk was declared vacant and the board elected Charles Harkens as clerk and auditor. (52) In 1859 John Daly was elected auditor at the general election, but he failed to give sufficient bonds and at a meeting held on February 6, 1860, the office of auditor was again declared vacant. The board resolved to appoint J. W. Sencerbox to fill the vacancy and voted 8 to 4 in his favor. Before the vote was taken Charles Harkens, acting auditor, stated to the board that the only person who could be his successor was J. Daly, and that as the law gave the board no power to appoint an auditor, he could refuse to give up his office to anybody else. (53) Mr. Harkens had been elected as register of deeds at the general election in 1859, and in January 1860 he signed the auditor's report for the year 1859. His bond as register of deeds was accepted on January 4, 1860. (54)

Early in 1860 a change was made from the supervisor form to the county commissioner form of county government, and at a meeting on February 6, 1860, the chairman of the county board settled up with the auditor, Charles Harkens, for his services from September 8, 1858, to February 6, 1860. This would indicate that during that time Charles Harkens was auditor. When the new board of county commissioners met on June 4, 1860, Charles Harkens was appointed auditor. (55)

In September 1860 Mr. Harkens resigned as auditor and the board appointed J. W. Sencerbox to take his place effective November 1, 1860. (56) Mr. Sencerbox served until January 1861 and then served as deputy to J. R. Ashley, the elected auditor. (57)

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(51) Mason's, 1927, 164-167.
(52) Scott County Democrat, October 8, 1859, 2.
(53) Scott County Democrat, March 26, 1860, 2.
(54) Scott County Democrat, January 14, 1860, 2; February 18, 1860.
(55) Scott County Democrat, May 6, 1860, 2; July 28, 1869, 2; August 4, 1860, 2.
(56) Belle Plaine Enquirer, November 17, 1860.
(57) Belle Plaine Enquirer, March 23, 1861; April 6, 1861; June 15, 1861, 3.

General Accounting
(See also entries 329-344.)

20. FINANCIAL STATEMENT, 1871--. 3 pkgs., 4 file drawers.
Summary of all collections and disbursements for each fund or account and their subdivisions, abstract of taxes levied and collected, assets and liabilities, and assessed valuation. Arr. by years, alph. by name of fund and num. by school district no. thereunder. No index. Handwritten under pr. heads. Pkgs., 10 x 5 x 6 to 14½ x 9½ x 1½; drawers, 10½ x 5 x 14 to 11 x 16½ x 24. 3 pkgs., 3 file drawers, 1871-1927, bsmt. va.; 1 file drawer, 1928--, off. va.

21. JOURNAL, 1858--. 11 vols. (three unlettered; A, A-D, 5, 1, 2).
Ordinary journal entries of moneys as received by county and the assignment to accounts of state revenue, county revenue, township, city, and village accounts, school districts, and miscellaneous accounts, showing name of account, date, debits, and credits. Arr. chron. by date of entry. No index. Handwritten. 275 to 632 pp. 13 x 8½ x 1 to 17 x 12 x 3½. 1 vol., 1885-92, clerk of court's bsmt. va.; 1 vol., 1892-1900, dungeon va.; 9 vols., 1858-84, 1900--, off. va.

22. JOURNAL, 1855-79. 2 vols.
A journal of general and special accounts, including sundry creditors, county orders accounts, city orders account, coroner's account, district court account, state tax accounts, and bogus county order account, showing date, transfer of the various accounts to county order account, county treasurer, school districts, license account, and general expense account. Arr. by accounts, chron. by date of entry thereunder. No index. Handwritten. 400 pp. 14 x 9 x 1½. 1 vol., 1855-65, off. va.; 1 vol., 1866-79, dungeon va.

23. JOURNAL, 1928-31. 4 vols. Discontinued.
Personal record kept by the auditor to determine financial statement, not a permanent record, showing name of the county office or account, and total receipts and expenditures for each year. Arr. alph. by name of office or account. No index. Handwritten. 300 pp. (150 pp. used) 12 x 7 x 1. Off. va.

24. LEDGER, 1856--. 8 vols. (three unlettered; A, C, F-H).
Accounts of the subdivisions of state and county revenue, including accounts with townships, villages, school districts, and

miscellaneous funds and accounts, showing name of account, date of entry, debits, credits, and balances. Arr. by accounts, chron. by date of entry thereunder. Indexed alph. by names of accounts; for separate index, ledger C, 1877-1906, see entry 25. Handwritten. 187 to 640 pp. 16 x 10½ x 2 to 18 x 13 x 3. One unlettered, C, 1857-1906, dungeon va.; A, two unlettered, F-H, 1856-67, 1892--, off. va.

25. INDEX TO LEDGER C, SCOTT COUNTY, 1877-1906. 1 vol. Serves Ledger C, entry 24, and shows name of account and page of recording. Arr. alph. by name of account. Handwritten. 50 pp. 18 x 11½ x ¼. Dungeon va.

26. DAILY ACCOUNT FUND BOOKS, 1879-83. 2 vols. Discontinued.
A ledger record of various funds, such as state, general school, permanent school, county revenue, poor, interest, sinking, road and bridge, township and city, Shakopee city bond, and special school funds, showing name of account, date of entry, debits and credits, and balances. Arr. by accounts, chron. by date of entry thereunder. No index. Handwritten. Condition of binding fair. 385 pp. 12½ x 7¼ x 1¼. Dungeon va.

27. ACCOUNTS RECEIVABLE AND PAYABLE LEDGER, 1933--. 1 vol.
Ledger accounts with townships, villages, cities, other counties, state, United States, and individuals for such services as hospitalization, boarding of prisoners, reinbursement of various funds, snow plowing, and other services, showing name of account, date, purpose of charge, debits, credits, and balances. Arr. alph. by name of account. No index. Handwritten. 200 loose-leaf pp. 12 x 9¼ x 1. Off. va.

28. MONTHLY TRIAL BALANCES, 1877--. 1 file drawer, 4 vols. Title varies: Balance Sheet Auditor's Ledger C, file drawer, 1877-1906.
Auditor's trial balance taken from ledger at end of each month, showing date, ledger folio, list of all funds, total debits and credits of each fund to date for fiscal year, debit and credit balances, grand total of all funds, and signature of auditor. Arr. chron. by date of statement. No index. Handwritten on pr. fm. File drawer, 10½ x 5 x 14; vols., 100 pp. 13½ x 12 x 1. File drawer, 3 vols., 1877-1922, dungeon va.; 1 vol., 1922--, off. va.

29. AUDITOR'S COLLECTION REGISTER, 1903--. 2 vols. (one unnumbered; 2).
Daily register of collections, showing date, receipt number, amount, name of account credited, description of payment, total daily collections, ledger folio, total collections of each account, grand total of all accounts, amount brought forward from preceding page, and total collections to date. Arr. by months, chron. by date of entry thereunder. No index. Handwritten under pr. heads. 481 pp. 16½ x 13½ x 2¼. Off. va.
For prior and related records see entry 31.

30. TAX COLLECTIONS, 1861--. 13 vols. (two unlettered; A-E, 1-6).
Record of auditor's undistributed tax collections, showing name of township, village, or city, date, receipt number, name of taxpayer, amounts of tax, interest, penalty, and total. Arr. alph. by name of twp., village, or city, chron. by date of collection thereunder. No index. Handwritten under pr. heads. 210 to 650 pp. 12 x 7½ x ½ to 17 x 12 x 3. Two unlettered, A-E, 1-3, 1861-1922, dungeon va.; 4-6, 1923--, off. va.

31. DAILY TAX COLLECTIONS, 1865-1909. 9 vols. (two unlettered; B-H). Discontinued.
Register of daily tax collections, showing receipt number, tax of current year, penalty, personal tax, tax of former years, private redemptions, public lands, miscellaneous taxes, amount of each collection, grand total of all collections, and amount of each payment to each account and fund. Arr. num. by receipt no. No index. Handwritten under pr. heads. 315 to 625 pp. 12½ x 7½ x 1 to 17 x 14½ x 2. Bsmt. va.
For prior and subsequent records see entries 29, 40.

32. LEDGER, 1875-91. 2 vols. (dated).
Auditor's record of state taxes collected, showing source and amount of tax, and date paid. Arr. chron. by date of entry. No index. Handwritten. 600 pp. 18 x 12 x 3. Bsmt. va.
For prior and subsequent records see entries 34, 40.

33. DAILY PAY OVER RECORD, 1879-93, 1916--. 5 vols. (three unnumbered; 2, 3). Title varies: Daily Payments, 3 vols., 1879-93.
Records of receipts and disbursements of county revenue, state revenue, township revenue, and miscellaneous collections, showing date, amount of all collections, amount of disbursements to the various funds, and balance on hand at close of day. Arr. chron. by date of entry. No index. Handwritten. 200 to 300 pp. 14½ x 9 x 1 to 14 x 9 x 1¼. Off. va.

34. COUNTY AUDITOR'S RECORD OF COLLECTIONS ON STATE LANDS, 1901-2. 1 vol. Discontinued.
Register of collections of moneys arising from former sales of school lands in Scott County, showing number and date of receipt, certificate number, subdivision, location, principal, interest, penalty, date, and total. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 100 pp. (1 pp. used) 18 x 13½ x ½. Off. va.
For prior records see entry 32.

35. ABSTRACT OF COLLECTIONS, 1874-1916. 1 vol.
Summary of total taxes of previous years, showing name of township, amount of state, county, special school taxes, county revenue, penalty and interest, and total of all collections. Arr. alph. by name of twp., chron. by date of entry thereunder. No index. Handwritten under pr. heads. Condition of binding fair. 155 pp. 14 x 8½ x 1. Bsmt. va.

36. ABSTRACT OF DISBURSEMENTS, 1874-78. 1 vol.
Record of distribution of collections to school districts and townships, commissioners' districts, county and poor orders, bonds, coupons, court commissioner, attorneys, county supervisor, and probate court; also shows income from judgments, county liquor, auctioneers' licenses, justice court fines, ferry licenses, county attorney's fees, and probate court fees. Arr. by accounts, chron. by date of entry thereunder. Indexed alph. by names of accounts. Handwritten. 236 pp. 13 x 8 x 1. Dungeon va.

37. AUDITOR'S VOUCHER AND WARRANT REGISTER, 1857--. 18 vols. (A, B, A, B; five labeled by inclusive warrant nos.; 2-10). Title varies: Register of Orders, 1868-86; Register of Auditor's Warrants, 1887-92; Auditor's Warrant Register, 1892-1907.
Record of warrants issued for payment by treasurer, showing date, warrant number, to whom issued, amount, date returned by treasurer, fund from which drawn, total of each fund forwarded from preceding page, grand total for each fund forwarded to next page, and total amount of orders drawn on each fund at end of month. Arr. by months, num. by warrant no. thereunder. No index. Handwritten on pr. fm. 240 to 318 pp. 14½ x 14 x 1 to 21 x 17½ x 2¼. 2 vols., 1857-86, bsmt. va.; 5 vols., 1892-1907, dungeon va.; 11 vols., 1887-92, 1908--, off. va.
For related records see entries 39, 114, 366.

38. AUDITOR'S AUXILIARY WARRANT REGISTER, 1936--. 1 vol. (A).
Register for old age assistance payments, showing month, case number, to whom issued, date issued, date returned by treasurer, warrant number, amount, total amount forwarded from preceding page, total amount issued for month, and grand total issued to date. Arr. by months, num. by case no. thereunder. No index. Handwritten under pr. heads. 125 pp. (21 pp. used) 17 x 14 x 2¼. Off. va.
For related records see entries 368, 405.

39. TOWN ORDERS, 1878-85. 1 vol. (labeled by inclusive order nos.).
Record of payment of township orders, showing order number, amount, date, name of fund charged, such as township tax, township road tax, township road labor, interest on bonds, total amount of orders for each fund, and total of all orders. Arr. num. by order no. No index. Handwritten. Condition of binding fair. 150 pp. 8½ x 4 x 1. Dungeon va.
For prior and related records see entries 37, 338.

40. MISCELLANEOUS TAX RECORD, 1858-65. 2 vols.
First part of volume, 1861-65, contains a record of steamboat trips; latter part of volume, 1858-61, contains a summary statement of collections of state revenue, school, county, township, school district, road, and poor taxes, and all miscellaneous taxes. Arr. by years. No index. Handwritten under pr. heads. Condition of binding fair. 325 pp. 12½ x 9½ x 1. Dungeon va.
For subsequent records see entries 31, 32.

41. BELLE PLAINE TAX BOOK, 1864-65. 1 vol.
Record of miscellaneous collections for Belle Plaine, showing list of dog licenses, justice's fines, house rent, with names and amounts of tax. Arr. chron. by date of entry. No index. Handwritten. Condition poor. 230 pp. 13 x 8 x 1½. Dungeon va.

Taxation

Assessments

42. ASSESSMENT BOOKS, 1856--. 4 bundles, 1,369 vols. (labeled by local units and dated).
Assessors' returns of assessments on taxable real and personal property in townships, villages, and cities, showing date, name and address of owner, description of property, school district number, valuation, assessed valuation as equalized by county and

state boards, and remarks. Real estate in twps. arr. num. by section no. and subdivision no.; in villages and cities, alph. by name of addition; personal property arr. alph. by name of owner. No index. Handwritten on pr. fm. Bundles, 8 x 14 x ½ to 8½ x 11 x 12; vols., 40 to 100 pp. 7¼ x 12 x ¼ to 11 x 8½ x 1½. 1856-87, dungeon va.; 1888-1930, bsmt. va.; 1931--, off. va.

43. LISTS OF MONEY AND CREDITS, 1913--. 2 file drawers. Assessors' returns of moneys and credits assessments, showing name of township, village, or city, name of person or firm assessed, address, owner's valuation, assessor's valuation, and assessed valuation as equalized. Arr. by twps., alph. by name of taxpayer thereunder. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

44. REASSESSMENT OF MONEY AND CREDITS, 1909-27. 2 pkgs.
Special assessment rolls of all moneys and credits listed by special assessors, showing name of taxpayer, date, name of township or village, description of property, amount of original assessment, and amount of new assessment. Arr. by twps. and villages, alph. by name of taxpayer thereunder. No index. Handwritten on pr. fm. 8½ x 17 x 11 and 17 x 20 x 8½. Bsmt. va.

45. REASSESSMENTS OF REAL ESTATE, 1917, 1922, 1935. 4 vols.
Record of reassessments of real property, showing name of taxpayer, name of township or village, description of property, original assessment, and amount of reassessment. Arr. by twps. and villages, alph. by name of taxpayer thereunder. No index. Handwritten on pr. fm. 125 pp. 9½ x 20 x 1. Bsmt. va.

46. REAL PROPERTY, PLATTED AND UNPLATTED, 1928--. 7 file drawers.
Appraisal cards of platted and unplatted property, showing name of township, village, or city, description of property; purpose, age, type and condition of buildings, total value of all buildings, value of lots or acres, total value of land and buildings, and signature of chairman of county board. Arr. alph. by name of twp., village, or city. No index. Handwritten on pr. fm. Drawers, 7 x 10¼ x 17 to 11 x 16¼ x 24; cards, 6 x 9. Off.

47. SPECIAL ASSESSMENT RECORD, 1858. 1 vol.
Record of special assessments for local improvements, showing name of taxpayer, description of land, location, lot number,

value, and total amount of assessments. Arr. alph. by name of taxpayer. No index. Handwritten. 175 pp. 8½ x 14 x 1. Bsmt. va.

For subsequent records see entry 49.

48. TAXABLE LANDS AND LOTS IN SCOTT COUNTY, 1873-87. 1 vol.

List of taxable lands and lots, showing name of owner, name of township, village, or city, location by section, legal description, and number of acres. Arr. by twp., village, or city, num. by section no. and alph. by addition thereunder. No index. Handwritten. Condition poor. 337 pp. 12 x 7½ x 1. Dungeon va.

49. CITY SIDEWALKS RETURN, 1902--. 1 file drawer.

Special assessments for sewer, sprinkling, sidewalks, and other improvements, showing date, name of property owner, description of property, and amount of assessment. Arr. by cities, chron. by date of assessment thereunder. No index. Handwritten on pr. fm. Condition of paper fair. 10½ x 14 x 5. Bsmt. va.

For prior records see entry 47.

50. REPORT OF CHANGES BY MINNESOTA TAX COMMISSION, 1919--. 1 file drawer.

Certified copy of proceedings of Minnesota Tax Commission, showing the percentage of increase or decrease in the tax rates of real property and the various classifications of personal property, the amount of increase or decrease in property assessments of individuals, copartnerships, associations, or corporations, and date of report. Arr. chron. by date of report. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

51. BELLE PLAINE BOROUGH HIGHWAY LABOR ROAD TAX LIST, 1873-76. 4 vols.

List of residents subject to road tax, showing name of resident, number of days paid in labor, number of days paid in cash, amount of road tax, in whose name assessed, block and lot numbers, valuation, taxes, and amount of personal property assessment. Arr. alph. by name of resident. No index. Handwritten under pr. heads. 110 pp. 12 x 7¼ x ½. Dungeon va.

52. ABSTRACTS OF R. R. LAND, 1868-89. 1 file drawer. Discontinued.

Lists of railroad lands to be sold, showing date, name of purchaser, location of land, and auditor's list of railroad lands to be added to assessment rolls. Arr. chron. by date of list. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.

Tax Lists

(See also entries 345, 346.)

53. (TAX LISTS), 1856--. 1,282 vols. (labeled by twps., cities, and villages, and dated).
Lists of taxable real estate, personal property, and money and credits in county, showing in whose name assessed, to whom transferred, description of property, valuation and amount of state tax, general school tax, county tax, township taxes, and special taxes levied, total taxes, date paid, and receipt number. Real estate in twps. arr. num. by section nos. and subdivisions; in cities and villages, arr. alph. by additions, num. by block and lot nos. thereunder; personal property arr. alph. by name of taxpayer. For index, 1856, see entry 54; 1857--, no index. Handwritten under pr. heads. 12 vols., 1860, condition poor. 120 to 300 pp. 7 x 4½ x ½ to 16 x 11 x 2½. 1856-1906, dungeon va.; 1907-27, bsmt. va.; 1928--, off. va.

54. (INDEX TO TAX LISTS), 1856. 1 vol.
Serves Tax Lists, entry 53, and shows name of owner, name of township, village, or city, and book and page number where recorded. Arr. alph. by name of taxpayer. Handwritten under pr. heads. 50 pp. 7 x 4½ x ¼. Dungeon va.

55. TAX BOOK, 1874-75. 1 vol.
Lists of personal property taxes, including value of livestock, machinery, and other personal belongings, showing name of taxpayer, amount of county and school taxes, and total of all taxes. Arr. alph. by name of taxpayer. No index. Handwritten. Condition of binding fair. 200 pp. 12¼ x 7½ x 1. Dungeon va.

56. ABSTRACTS OF TAX LISTS, 1886--. 3 file drawers.
Summary of all taxes levied in townships, villages, or cities as reported and certified to the state auditor, showing date, name of local unit, township, range, number of acres exclusive of village lots, value of land including structures thereon, value per acre, value of personal property, total value, total taxes levied, amount of state, county, township, village or city, and school district taxes, total tax levy exclusive of money and credits and grain taxes, total grain tax, total money and credits tax, and grand total of all taxes; also shows state, county, township, village or city, and school district tax rates. Arr. chron. by date of abstract. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.
For prior records see entry 57.

57. ABSTRACT OF DUPLICATES, 1858-62, 1869-85. 2 vols.
Summary of taxes levied, showing name of township, village, or city, number of acres, value of land, amounts of state, county, road and bridge, and other taxes, and total taxes levied. Arr. alph. by name of twp., village, or city. No index. Handwritten under pr. heads. 160 to 200 pp. 14 x 9 x 1 and 17 x 11 x 1½. 1 vol., 1869-85, bsmt. va.; 1 vol., 1858-62, off.
For subsequent records see entry 56.

58. TAX LIST, NEW LAND, OCTOBER 14, 1879. 1 vol.
List of real property entered for first time on tax list, showing in whose name assessed, name of township, description of land, location, area, valuation, and amount of tax. Arr. by twps., num. by section no. thereunder. No index. Handwritten. Condition of binding fair. 100 pp. 7½ x 6 x ½. Dungeon va.

59. (TOWNSHIP LISTS), 1862-76. 1 vol.
Lists of taxpayers in townships, showing date, name of township, name of taxpayer, and amount of taxes. Arr. by twps., alph. by name of taxpayer thereunder. No index. Handwritten. Condition of binding fair. 100 pp. 7½ x 6 x ½. Dungeon va.

Abatements and Refunds

60. ABATEMENT RECORD, 1931--. 1 vol. (A).
Register of abatements, showing date, for whom taxes are abated, name of township or village, description of property, valuation, and abatements of state tax, university, local one-mill, county revenue, county poor, county road and bridge tax, county sinking fund, township taxes, special school fund, teachers' insurance, state hospital, courthouse bonds, total, and why abated. Arr. alph. by name of twp. or village, chron. by date of entry thereunder. No index. Handwritten under pr. heads. 210 pp. 16 x 10½ x 2. Off. va.

61. REFUNDMENT OF TAXES, 1873--. 3 file drawers, 7 pkgs.
Title varies: Minnesota Tax Commission, 1899-1932; Cancellation of Taxes, 1873--.
Includes applications for reductions, cancellations and refundments of taxes, landowner's receipt for taxes paid, sheriff's copies of taxes collected, and citations served, showing action taken, date, name of landowner, and amount. Arr. by years, chron. by date of filing thereunder. No index. Handwritten on pr. fm. Drawers, 10½ x 5 x 14; pkgs., 3½ x 8. Bsmt. va.

62. REFUNDING ORDERS, 1886-96, 1921--. 4 vols. (labeled by inclusive order nos.).
Carbon copies of orders issued for money refunded due to amount erroneously paid on property because of excessive assessment, showing order number, warrant number, name of taxpayer, name of township, amount of tax, interest and penalty, total amount, date order received, and fund charged; also record of over amounts paid schools, teachers, universities, county poor, federal roads, bonded indebtedness, sinking fund, and county emergency. Arr. num. by order no. No index. Handwritten and typed on pr. fm. 98 to 250 pp. 4½ x 14 x 1 to 6 x 10 x 2. 1 vol., 1886-96, dungeon va.; 2 vols., 1921-32, bsmt. va.; 1 vol., 1933--, off. va.

Tax Statements and Receipts

63. TAX RECEIPTS, 1868--. 1,125 vols. (labeled by inclusive receipt nos.). Title varies: Tax for the Year, 1868-75).
Duplicates of tax receipts issued for payment of taxes, showing date, to whom issued, receipt number, description of property, valuation, rate, amount of tax, amount paid, and signature of treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. 1868-75, condition poor. 200 to 315 pp. 11 x 18 x 1 to 17 x 11 x 1½. Dungeon va.; clerk of court's bsmt. va.; treasurer's off.; auditor's bsmt. va.; auditor's off. va.
For related records see entry 355.

64. DUPLICATE RECEIPTS, 1858-75. 1 vol.
Duplicate receipts issued upon request of taxpayers, showing date, receipt number, to whom issued, description of property, years delinquent, amount of tax plus penalties and current tax, and signature of auditor. Arr. num. by receipt no. No index. Handwritten on pr. fm. Condition of binding and paper poor. 290 pp. (48 pp. used) 12¼ x 9½ x 1. Dungeon va.

65. MORTGAGE REGISTRY TAX STATEMENTS, 1908--. 24 vols. (labeled by inclusive statement nos.).
Duplicates of statements issued for mortgage registry tax, showing date, statement number, to whom issued, description of property encumbered, location, amount of mortgage, amount of tax, name of mortgagor, and signature of auditor. Arr. num. by statement no. No index. Handwritten on pr. fm. 100 pp. 11 x 10 x 1. 15 vols., 1908-27, dungeon va.; 8 vols., 1927-35, bsmt. va.; 1 vol., 1935--, off.
For prior and triplicate records see entry 353.

Delinquent Taxes

(See also entries 347-350.)

66. DELINQUENT TAX STATEMENTS, 1875-1906, 1911--. 28 vols. (one unnumbered; 27 labeled by inclusive statement nos.). Title varies: Statement of Delinquent Taxes, 8 vols., 1927-37.

Carbon copies of statements of taxes delinquent or sold to, assigned or sold by the state, showing date, to whom statement delivered, description of property, location, amount of tax or judgment, costs, penalty or interest, total amount, statement number, by whom paid, and signature of auditor. Arr. num. by statement no. No index. Handwritten on pr. fm. 250 pp. 11½ x 11¼ x 1 to 7¼ x 15 x 1½. 11 vols., 1875-1906, 1911-30, dungeon va.; 11 vols., 1930-35, bsmt. va.; 6 vols., 1935--, off. va.

67. COUNTY AUDITOR'S CERTIFICATE TO THE CLERK OF THE DISTRICT COURT, 1906-29. 1 vol. (labeled by inclusive certificate nos.).

Duplicates of auditor's certificates of payment of taxes after filing delinquent tax and before entry of judgment, showing certificate number, date, amount of tax, description of land, name of owner, and signature of auditor. Arr. num. by certificate no. No index. Handwritten on pr. fm. 205 pp. 6½ x 17 x 1¼. Off. va.

68. DELINQUENT TAX ABSTRACT, LOTS AND LANDS, 1857--. 8 vols. (two unlettered; B, B, C, C, C, C). Title varies: Delinquent Tax Abstract, 2 vols., 1857-59.

Summary of tax delinquencies and forfeited tax sales, showing name of township, village, or city, name of landowner, date, amount due, description of property, years of prior tax and tax liens, by whom prior tax liens held, and years delinquent. Lots, arr. by twps., villages, or cities, alph. by additions and num. by subdivisions thereunder; lands, arr. alph. by twps., num. by section no. thereunder. No index. Handwritten under pr. heads. 1857-59, condition of binding fair. 240 pp. 17 x 14½ x 2½ to 18 x 12 x 3. 2 vols., 1857-59, dungeon va.; 6 vols., 1860--, off. va.

69. DELINQUENT TAX RECORD, 1880-95. 2 vols. Title varies: Collections of Delinquent Taxes of Scott County for years 1861-76, 1 vol., 1880-81. Discontinued.

Record of delinquent taxes collected, showing name of township,

date, receipt number, name of payer, description of property, location, valuation, school district number, amount of special teaching tax, school taxes, buildings, road labor, interest and charges, and total taxes. Arr. alph. by name of twp., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 1881-95, condition poor. 150 to 255 pp. 13 x 8 x 1 to 14 x 8½ x 1½. 1 vol., 1880-81, off. va.; 1 vol., 1881-95, dungeon va.

70. DELINQUENT TOWN LOTS AND LANDS FORFEITED TO STATE, 1858-65. 4 vols. Discontinued.
A list of village and city lots and lands forfeited to state in lieu of payment of delinquent taxes, showing name of owner, description of tract, number of acres, valuation, amount of state, city, township, road taxes, interest, total taxes, by whom redeemed, and date of redemption. Arr. alph. by twp., village, or city, num. by section no. and alph. by addition thereunder. No index. Handwritten. 140 to 283 pp. 11 x 8 x 1 to 17 x 11 x 1. 2 vols., 1858-59, dungeon va.; 2 vols., 1860-65, bsmt. va.

71. DELINQUENT ROAD TAX LIST, 1871-1909. 4 file drawers. Discontinued.
Township clerks' record of delinquent road taxes, showing year, name of township, amount, date due, and name of property owner. Arr. by years, alph. by name of twp. thereunder. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.

72. DELINQUENT PERSONAL TAXES, 1860-74. 1 vol.
List of delinquent personal property taxes, showing name of taxpayer, date, and total tax for all townships in county. Arr. by twps., alph. by name of taxpayer thereunder. No index. Handwritten under pr. heads. 200 pp. 10 x 7½ x 1. Dungeon va.
For related records see entry 327.

73. DELINQUENT TAXES ORDERED COLLECTED BY SHERIFF, 1854-57. 1 vol.
Copies of orders issued to the sheriff in the name of the United States, showing date, name of taxpayer, valuation, amount of county, school, and territorial taxes, total tax, and remarks. Arr. alph. by name of taxpayer. No index. Handwritten under pr. heads. Condition of binding and paper poor. 300 pp. 12½ x 8 x 1½. Dungeon va.
For subsequent and related records see entries 252, 327.

Tax Judgments and Sales
(See also entries 244-252.)

74. COPY TAX JUDGMENT BOOK, 1873--. 11 vols. (two dated; B-J).
Record of proceedings to enforce payment of delinquent taxes on real estate, showing name of township, village, or city, name of owner, subdivision, number of acres, years delinquent, amount, penalty, costs before judgment, amount of judgment, date of sale, to whom sold, date of assignment, to whom assigned, number of certificate, amount of assignment, date of redemption, by whom redeemed, amount of redemption, and signature and seal of clerk of court. Two vols. dated, B-G., arr. by twp., village, or city, num. by section no. and alph. by addition thereunder; vols. H-J, arr. by years, alph. by twp., village, or city thereunder. No index. Handwritten on pr. fm. 240 to 320 pp. 16¼ x 13 x 2¼ to 18 x 14½ x 3. Off. va.
For related records see entry 76.

75. DELINQUENT AND FORFEITED TAXES, 1862--. 17 vols. (13 vols. dated; B-E). Title varies: Delinquent Taxes, 8 vols., 1864-75; Sale Book of Delinquent Lands, 1 vol., 1862.
List of property sold or forfeited to the state for delinquent taxes, showing in whose name assessed, subdivision, description of property, valuation, amount of state, state school, county, township, and school taxes, special assessments, total taxes, number of certificate in judgment book, date of forfeiture, to whom sold, to whom assigned, by whom redeemed, date of redemption, receipt number, and remarks. Arr. alph. by name of twp., city, or village, num. by section no. and alph. by additions thereunder. No index. Handwritten under pr. heads. 122 to 400 pp. 17 x 13½ x 1 to 16 x 12 x 2. 9 vols., 1862-75, dungeon va.; 8 vols., 1875--, off. va.

76. COPY FORFEITED REAL ESTATE TAX JUDGMENT BOOK, 1900. 1 vol.
Copy of proceedings to enforce payment of delinquent taxes, showing name of township, village, or city, name of owner, description of property, years delinquent, amount of taxes, fees, interest and penalty, date of sale, to whom sold, certificate number, amount of sale, by whom redeemed, date, amount of redemption, remarks, and signature and seal of clerk of court. Arr. alph. by twp., village, or city, num. by section no. and alph. by additions thereunder. No index. Handwritten under pr. heads. 40 pp. 14 x 14 x ¼. Off. va.
For related records see entry 74.

77. FORFEITED PROPERTY SALE RECORD, 1905. 1 vol. Discontinued.
Auditor's record of unredeemed absolute property sales, showing date, in whose name assessed, description of property, years delinquent, amount of tax and penalty, amount of judgment and amount of subsequent delinquent taxes, interest, amount of current tax, total amount of taxes, penalties, and costs, date of sale, to whom sold, amount of sale, date of redemption, date of filing proof of service of notice of expiration of redemption, and remarks. Arr. alph. by name of twp., city, or village, chron. by date of sale thereunder. No index. Handwritten under pr. heads. 81 pp. (1 p. used) 17 x 14 x ½. Off. va.

78. FORFEITED LAND SALE RECORD, RAILROADS, 1861-1901. 1 vol.
State and railroad land sale record, also a list of real property forfeited to the state of Minnesota on tax judgment sale and offered at public auction, showing date, name of owner, legal description of land, name of purchaser by deed of St. Paul, Sioux City Railroad Company or Minnesota Central Railroad Company, and date of deed. Arr. chron. by date of entry. No index. Handwritten. 160 pp. 16½ x 14 x 1½. Off. va.

79. COPY OF CONFESSION OF JUDGMENT, INSTALLMENT PAYMENT, 1936--. 1 vol.
Duplicate copies of confessions of judgment made by owners permitting the payment of delinquent taxes in ten equal payments, showing name of owner, description of land, total taxes and penalties, amount of judgment, amount and date of first installment, certification of auditor to clerk of court, and date judgment entered. Arr. chron. by date judgment entered. No index. Typed on pr. fm. Approx. 150 loose-leaf pp. 14¼ x 11½ x 1. Off. va.

80. STATEMENT AND RECEIPT DELINQUENT TAX INSTALLMENTS, 1936--. 2 vols. (labeled by inclusive receipt nos.).
Title varies: Statements and Receipts for Taxes Paid in Installments, 1 vol., April 1936-May 1937.
Carbon copies of statements of payments for full or partial release of judgment by confession, showing receipt number, date, to whom issued, date of judgment, description of property, school district number, amount of initial payment or installment, interest, total, and signatures of auditor and treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. 50 to 100 pp. 5½ x 11 x 1. Off. va.

81. TAX JUDGMENT SALE CERTIFICATE, 1917-20. 1 vol. Discontinued.
Carbon copy record of certificates of tax judgment sales, showing certificate number, certification by auditor that property was sold pursuant to judgment entered, date sold, amount, description of property, to whom sold, and signature of auditor. Arr. num. by certificate no. No index. Handwritten on pr. fm. 125 pp. 16 x 14 x 1. Off. va.

82. CERTIFICATES AFTER JUDGMENT AND BEFORE SALE, 1903-15, 1931--. 3 vols. (labeled by inclusive certificate nos.).
Carbon copies of auditor's certificate to clerk of district court that delinquent taxes have been paid after entry of tax judgment and before sale, showing certificate number, name of property owner, description of property, years delinquent, amount paid, date, and signature of auditor. Arr. num. by certificate no. No index. Handwritten on pr. fm. 125 to 250 pp. 12 x 12 x 1 to 16½ x 17 x 1¼. 1 vol., 1903-15, dungeon va.; 2 vols., 1931--, bsmt. and off. vas.

83. ABSOLUTE PROPERTY SALE CERTIFICATES, 1892-1927. 9 vols. (labeled by inclusive certificate nos.).
Title varies: Certificates of Absolute Property Sale; Absolute Sale Certificate, 2 vols., Nov. 4, 1905.
Duplicate certificates of absolute property sale of land, showing number, name of purchaser, description of property, total taxes, certification of sale by auditor, and date. Arr. num. by certificate no. No index. Handwritten on pr. fm. 52 to 250 pp. (2 to 34 pp. used) 12 x 9 x 1 to 7 x 12½ x 1¼. 2 vols., 1905, dungeon va.; 4 vols., 1892-1916, bsmt. va.; 3 vols., 1916-27, off. va.

84. APPLICATIONS FOR PURCHASE OF ABSOLUTE PROPERTY, 1903-6. 1 vol. (labeled by inclusive instrument nos.).
Carbon copy record of sale of absolute property by the state, showing date, instrument number, description and location of property, name of applicant, amount of sale, how payable, and signature of auditor. Arr. num. by instrument no. No index. Handwritten on pr. fm. 100 pp. 8½ x 16 x 1½. Off. va.

85. AUDITOR'S TAX SALE CERTIFICATES, 1879--. 48 vols. (labeled by inclusive certificate nos.).
Duplicates of certificates of delinquent tax payment on land sold for amount of tax plus interest, statements of delinquent taxes or taxes bid in by the state or sold to an actual purchaser, certificate of expiration of redemption, showing

certificate number, description of property, location, amount of tax, interest, penalty, costs, total amount, to whom sold, when redeemed, and signature of auditor. Arr. num. by certificate no. No index. Handwritten on pr. fm. 32 vols., 1879-1910, condition of binding fair. 56 to 250 pp. 8½ x 13 x ½ to 17 x 12 x 1½. 38 vols., 1879-1927, dungeon va.; 5 vols., 1927-35, bsmt. va.; 5 vols., 1935--, off. va.

86. STATE ASSIGNMENT CERTIFICATES, 1878--. 4 vols. (labeled by inclusive certificate nos.).

Stub memorandum record of state assignment certificates, showing certificate number, amount, date, description of property, years delinquent, to whom assigned, where recorded in judgment book, and signature of auditor. Arr. num. by certificate no. No index. Handwritten on pr. fm. 100 to 350 pp. 8¼ x 9¼ x ½ to 19 x 12 x 1½. 1 vol., 1902-13, dungeon va.; 3 vols., 1878-1902, 1913--, off. va.

Redemptions

(See also entry 351.)

87. REDEMPTION STATEMENTS, 1878--. 17 vols. (labeled by inclusive statement nos.). Title varies: State Redemption Statements, 1878-95; Statements and Receipts, 1895-1903.

Duplicate statements of lands sold for taxes to an actual purchaser, showing statement number, to whom delivered, name of purchaser, description of property, location, number of certificate, years delinquent, amount of judgment, interest, sheriff's and printer's fees, total, and signatures of treasurer and auditor. Arr. num. by statement no. No index. Handwritten on pr. fm. 224 to 250 pp. 6 x 7 x 1¼ to 11 x 5½ x 1½. 11 vols., 1878-1903, dungeon va.; 5 vols., 1903-36, bsmt. va.; 1 vol., 1937--, off. va.

88. REGISTER OF REDEMPTION ORDERS, 1856-1903. 9 vols. (A, B; seven labeled by inclusive order nos.). Title varies: Auditor's Receipts, 1 vol., 1887-93.

Record of redemption statements of lands sold for taxes to an actual purchaser, showing receipt number, date of receipt, certificate number, years delinquent, description of property, amount due, redemption warrant number, date of warrant, and amount. Arr. by accounts, chron. by date of entry thereunder. Indexed alph. by names of accounts. Handwritten under pr. heads. Condition of binding fair. 100 to 249 pp. 14½ x 16 x 1 to 14½ x 13 x 2. 5 vols., 1856-91, dungeon va.; 4 vols., 1892-1903, bsmt. va.

89. TAX SALE CERTIFICATES, NOTICE OF EXPIRATION OF TIME, 1873--. 4 metal file drawers, 1 pkg.
Certificates of tax judgment sales, showing notice of expiration date, date of sale, when papers were served by sheriff and where, amount of delinquent tax, signature of delinquent taxpayer, and date papers served. Arr. chron. by date of sale. No index. Handwritten and typed on pr. fm. Drawers, 10½ x 5 x 14; pkg., 10 x 11 x 15. File drawers, 1873-1924, bsmt. va.; pkg., 1925--, off. va.

90. FORFEITED TAX SALE, 1880, 1900-1927. 1 vol. (labeled by inclusive notice nos.), 1 file drawer. Title varies: Expiration Notices, 1880.
Carbon copies of expiration of redemption notices, showing name, address, notice number, description of property, to whom sold, to whom assigned, date of sale, date of certificate, amount sold for, amount of subsequent taxes, interest, penalty, costs, amount required to redeem, date redemption period expires, date notice delivered by sheriff, sheriff's return, date notice published, date of first publication, and signature of auditor. Arr. num. by notice no. No index. Handwritten on pr. fm. Vol., 202 pp. 7½ x 5 x 1; drawer, 10½ x 5 x 14. Vol., 1880, dungeon va.; drawer, 1900-1927, bsmt. va.

91. NOTICE OF EXPIRATION BY REDEMPTION, 1878-82. 1 vol.
Record of land sold by auditor for delinquent taxes and of notices of date of expiration of redemption period, showing date, notice number, to whom issued, amount, and remarks. Arr. num. by notice no. No index. Handwritten on pr. fm. 148 pp. (74 pp. used) 8 x 13½ x 1. Dungeon va.

92. RECEIPT FOR TAX SALE CERTIFICATE SURRENDERED FOR CANCELLATION, November 1934--. 1 vol.
Carbon copies of receipts for surrendered certificates of sale of delinquent taxes, showing date, from whom received, number of tax judgment sale certificate, description of property, amount of delinquent taxes, years delinquent, and signature of auditor. Arr. chron. by date of receipt. No index. Handwritten on pr. fm. 150 pp. 5 x 9 x 1. Off. va.

Tax Levies and Settlements

93. TAX LEVY RECORD, 1875--. 10 vols. (one unlettered; B-F, B-E). Title varies: Abstract Tax List and Settlement Record, 1875-1909, 1916-25.
Summary of taxes levied and settlement made with each assessment district, showing total taxes levied, total collected, total

abated, total credit, balance uncollected, and amounts distributed to state, county, city and village, townships, and school districts. Arr. by years, alph. by name of twp., village or city, and num. by school district no., chron. by date of settlement thereunder. No index. Handwritten under pr. heads. 187 to 264 pp. 17 x 14 x 2 to 19 x 19½ x 3. Off. va.

94. ABSTRACT OF SETTLEMENTS, 1887--. 3 vols. (one unlettered; B, C).

Summary of tax settlements with state, county, township, village, schools, and miscellaneous revenue, showing kind of collection, list of funds, amount distributed to each fund, date, and total of all settlements. Arr. chron. by date of settlement. No index. Handwritten under pr. heads. 265 to 310 pp. 18 x 12 x 3. Unlettered vol., 1887-1912, bsmt. va.; vols. B, C, 1913--, off. va.

95. SETTLEMENT SHEET FOR TOWNSHIPS, RECEIPTS FOR ASSESSMENTS, 1895--. 3 file drawers.

Receipts for assessments of property, showing names of landowners in all townships of Scott County, kind of tax, date, location; settlement sheet to township from county auditor, showing list of various assessments, source of assessment, amount of general, road, and school taxes, and total amount of assessment. Arr. by years, alph. by name of twp. thereunder. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

Officers Elected and Taxes Voted

96. REGISTER OF TOWN AND SCHOOL OFFICERS, 1893--. 3 vols. (1-3).

List of township and school officers; first half of volume for township and village officers, showing name of township or village, date of report, names and addresses of officers, and amount of township taxes voted; second half for school officers, showing district number, date of report, names and addresses of officers, amount of taxes voted, and remarks. Arr. alph. by name of twp. or village and num. by school district no. No index. Handwritten. 125 pp. 15 x 10 x 1. Off. va.

For related records see entries 157, 161.

97. SCHOOL DISTRICT TAX LEVY, 1863--. 3 metal file drawers, 1 pkg. Title varies: School District Tax Levy, Report of School Land Sales, 1863-1929.

Reports from school district clerks, showing date, district number, names of officers, date of meeting, number of voters present, and amount of taxes voted; also includes report of

auditor to school district clerks relative to sale of school lands. Arr. by years, num. by school district no. thereunder. No index. Handwritten on pr. fm. 1863-1929, condition fair. Drawers, 10½ x 5 x 14; pkg., 15 x 20 x 3. 1863-1929, bsmt. va.; 1930--, off. va.

98. TOWN TAX LEVY, 1867-1910. 21 envelopes. Discontinued. Lists of taxes levied by townships, showing date, amount of taxes voted, names of officers elected, bond certificates of township clerk, and receipts of financial allowances to various townships from Scott County budget. Arr. by years, alph. by name of twp. or village thereunder. No index. Handwritten on pr. fm. Condition fair. 3½ x 8. Bsmt. va.

Real Estate

99. TRANSFER BOOK, 1860--. 5 vols. (two unlettered; C-E).
Record of real estate transfers, showing date of transfer, names of grantor and grantee, description of property, location, consideration, and remarks. Arr. alph. by name of twp., num. by section no. and chron. by date of transfer thereunder. No index. Handwritten under pr. heads. 500 to 610 pp. (139 pp. used) 18 x 14½ x 1 to 18 x 12 x 3¼. Two unlettered, C, 1860-91, bsmt. va.; D, E, 1892--, off. va.
For related records see entry 183.

100. PLATS OF SCOTT COUNTY, 1856-94. 2 vols.
Made by W. H. Stodder and H. J. Chevre, and other county surveyors. Plats of townships, school district boundaries, roads, and miscellaneous surveys. Various scales. Arr. chron. by date of survey. No index. Black and white, and blueprint. 100 to 175 pp. 24 x 30 x 1 to 30 x 30 x 1. Bsmt. va.
For other maps and plats see entries 120, 203-210, 406-419.

101. TRACT INDEX, 1936--. 1 vol.
Plats of all the lands of the county, showing description of each tract, name of township, and name of owner. Arr. alph. by name of twp. No index. Handdrawn. 300 loose-leaf pp. 9 x 12 x 2. Off. va.
For prior and related records see entries 197-200.

102. ORGANIZATIONS OF VILLAGES AND LAND DIVISIONS, REPORT OF DECREES, 1916--. 1 file drawer.
Report of register of deeds relative to transfer of titles by sheriff's foreclosure sales; sheriff's foreclosure orders;

and report of decrees, showing date and name of party to whom issued. Arr. by subjects, chron. by date of paper thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

For related records see entries 187, 195, 325.

School Districts

103. AUDITOR'S SCHOOL DISTRICT REGISTER, 1878--.
1 vol. (A).

Record of lands included within each school district, showing district number, plat of school district within section, description of property within district, description of land involved in change of boundaries, date of change, name of director, name of treasurer, name of clerk, date notice of filing bond and qualifications of treasurer received, date of filing tax levy, and addresses of school officers. Arr. num. by district no. No index. Handwritten under pr. heads. 160 pp. 16½ x 14 x 2. Off. va.

For prior and related records see entries 13-16.

104. COUNTY AUDITOR'S SCHOOL DISTRICT RECORD, 1894-1914.
1 vol.

Record has maps, landmarks, locations of school districts, and changes of property to different districts, showing date, time of change, and other details. Arr. chron. by date of entry. No index. Handwritten and handdrawn. 200 pp. 11 x 16 x 1. Engineer's va.

For prior and related records see entries 13-16.

105. REPORT OF THE SUPERINTENDENT OF SCHOOLS, 1862--.
2 file drawers.

Annual and quarterly reports of public schools of Scott County, showing date, number of pupils enrolled, number of teachers, condition of school buildings and equipment, inventory of textbooks and supplies, and signature of superintendent of schools. Arr. chron. by date of report. No index. Handwritten and typed on pr. fm. 3 x 15 x 20 and 10 x 5 x 14. 1862-1929, bsmt. va.; 1929--, off.

For related records see entry 374.

106. CERTIFIED LIST OF STATE SCHOOL AID, 1911--.
1 file drawer.

Legal forms ordering consolidation of various schools and libraries by state commissioner of education, and correspondence pertaining to same. Arr. chron. by date of filing. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

107. MATTERS OF SCHOOL DEFECTIVES, 1887-1902. 1 file drawer. Discontinued.
Statements from school for feeble-minded to Scott County for expense of children sent from local schools to Faribault; also court order declaring child mentally deficient and order for commitment. Arr. alph. by surname of child. No index. Handwritten and typed on pr. fm. 10½ x 5 x 13. Bsmt. va.

108. SCHOOL TEXTBOOKS RECORD, 1878-87. 2 vols. (A, A). Title varies: C. D. Merrill's School Textbook, 1878-79.
Record of state textbooks supplied to schools in Scott County, showing date, number of requisition, name of textbook, total value of books furnished, freight and express paid, auditor's statement, clerk's bond filed, to whom and when books were delivered, and remarks. Arr. chron. by date of entry. No index. Handwritten. 1878-79, condition poor. 80 to 100 pp. 13 x 7½ x ½ to 9 x 12 x 1. Dungeon va.

Public Works
(See also entries 10-12, 424-437.)

Roads and Bridges

109. STATE AND COUNTY ROAD BOOK, 1892--. 2 vols. (A, B).
Copies of petitions for roads and changing of roads, including copy of plat of proposed road, action taken by county board, order to surveyor, surveyor's report, order of county board rejecting or granting petition, and signatures of chairman and auditor. Arr. num. by road no. No index. Handwritten on pr. fm. 290 pp. 19½ x 13½ x 2. Off. va.

110. STATE ROAD RECORD, 1918-33. 1 vol.
County record of state road construction cost and maintenance, job numbers 2702, 2704, 2801-5, grading jobs, bridges, graveling, and culverts, showing road number, date of payment, warrant number, to whom paid, purpose, amount of contract, amount paid, amount collected from state, date, amount from road and bridge fund, and total collections. Arr. by jobs or type of maintenance, chron. by date of entry thereunder. No index. Handwritten under pr. heads. 242 pp. 17 x 15 x 1¼. Off. va.

111. FEDERAL AID PROJECT ROAD, 1902-23. 1 file drawer. Discontinued.
Contracts for federal road work, showing name of contractor, location of job, nature of work, date, conditions of contract,

and date when completed. Arr. chron. by date of contract. No index. Handwritten on pr. fm. 10½ x 5 x 14. Off. va.

112. ROAD RELEASES, DESIGNATED STATE ROADS, 1873--. 3 file drawers.
Papers relative to releases of agreement between landowner and county in changing road costs, state highway department notice of appeal and allowance for damages to landowners in changing roads, settlement, supervisor's order of approval for award to county in behalf of landowner and award for damages to his land, showing cause, date, location, and amount. Arr. chron. by date of paper. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

113. ROAD CONTRACTS, 1925-29, 1935--. 4 file drawers.
Title varies: Road and Bridge Contract, 1925-29.
Original road contracts let, plats of proposed roads, special provisions, contractor's bond, proposal for county aid road construction, and department of highway reports. Arr. num. by job no. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14 to 11 x 16¼ x 24. 1925-29, bsmt. va.; 1935--, off. va.

114. ROAD AND BRIDGE ORDERS, 1879-90, 1894-1902. 3 vols. (labeled by inclusive order nos.).
Copies of orders issued on road and bridge fund, showing order number, date, to whom issued, amount, name of fund, and commissioner's district number. Arr. num. by order no. No index. Handwritten on pr. fm. 150 pp. 7 x 11½ x 1. Dungeon va.
For related records see entries 37, 366.

115. ROAD AND BRIDGE APPORTIONMENT, 1859-1906. 1 vol.
Record of amount of collections from state, county, township, and school taxes, and apportionment to road and bridge fund, showing date, amount, and purpose. Arr. chron. by date of entry. No index. Handwritten. Condition of binding fair. 100 pp. 12 x 7½ x 1. Dungeon va.

116. ROAD AND BRIDGE FUND ORDERS, 1873-95. 1 file drawer. Discontinued.
Supervisor's statements of materials used, labor expense, where and when done, and redeemed warrants for work done on roads; also includes petitions for new road work signed by residents. Arr. by years. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.
For subsequent petitions see entry 428.

Ditches

117. DITCH LIEN RECORD, 1904--. 1 vol. (A).
Last entry 1933.
Assessment record of ditches, showing ditch number, rate of interest, date lien statement filed, description of lands assessed, total amount of lien on each tract, amount of each installment, date each installment paid, and grand total of all assessments and payments for each ditch. Arr. num. by ditch no., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 300 pp. (9 pp. used) 16 x 14 x 1. Off. va.
For related records see entry 184.

118. AUDITOR'S DITCH LEDGER, 1904--. 1 vol. (1).
Last entry 1925.
Record of accounts relative to ditches, showing ditch number, date of payment, warrant number, to whom paid, purpose, and amount. Arr. num. by ditch no. No index. Handwritten under pr. heads. 120 pp. (31 pp. used) 14 x 14 x 1. Off. va.

119. DITCH NUMBERS 1-10, 1904-24. 2 file drawers (labeled by ditch nos.).
Petitions for drainage ditches, including notice of sale of job, proposal for ditching, viewer's report in ditch proceedings, and engineer's report. Arr. num. by ditch no. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.

120. COUNTY DITCH MAP, 1913-23. Approx. 400 maps in 8 tubes.
Maps of ditches in Scott County, made by county engineer, showing ditch number, course through sections, depth of cut, width at top, width at bottom, and date of survey. Various scales. No arr. No index. Black and white, and blueprint. Tubes, 36 x 3 to 42 x 3; maps, various sizes. Bsmt. va.
For other maps and plats see entries 100, 203-210, 406-419.

Welfare Agencies
(See also entry 6.)

121. POOR FUND REGISTER, 1870-1901. 3 vols. Title varies: Poor Orders, Scott County, 1 vol., 1884-87.
Record of orders issued for care of poor, showing date, to whom issued, amount, and total of all orders issued. Arr. chron. by date of entry. No index. Handwritten. 1 vol., 1884-87,

condition of binding fair. 165 to 200 pp. 14 x 11 x 1 to 16 x 10 x 1¼. 1 vol., 1884-87, dungeon va.; 2 vols., 1870-1901, bsmt. va.
For subsequent and related records see entries 396-402.

122. RECORD OF POOR RELIEF, 1909-27. 1 vol. No entries 1910-19, 1921-24.
Register of temporary relief orders issued, showing date, to whom issued, amount, date order filled, date order paid, to whom paid, and warrant number. Arr. chron. by date of order. No index. Handwritten under pr. heads. 140 pp. 16 x 11 x 1. Dungeon va.
For subsequent and related records see entries 396-402.

123. ORDERS ON POOR FUND, BONDS FOR OVERSEER OF POOR, 1873-1935. 6 file drawers. Discontinued.
Orders for the needy of the county, application blanks, bonds required for overseer of county, relief clients' orders for supplies, and allowances. Arr. by years, chron. by date of filing thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.
For subsequent and related records see entries 396-402.

124. MOTHERS' PENSION RECEIPTS, 1916-26. 4 vols. (labeled by inclusive receipt nos.).
Carbon copies of receipts issued to judge of probate for warrants, showing receipt number, date, warrant number, amount, name of dependent mother, and signature of auditor. Arr. num. by receipt no. No index. Handwritten on pr. fm. 250 pp. 9 x 2 x 1 to 11 x 8½ x 1. 3 vols., 1916-24, dungeon va.; 1 vol., 1924-26, off. va.
For related records see entry 172.

Orders and Warrants

125. CLAIMS AND WARRANTS, 1867--. 26 pkgs., 3 vols., 84 file drawers. Title varies: Warrants, 1867-79; Auditor's Warrants, 1884-1900; County Warrants, 1880-1919.
Paid warrants and claims of all bills contracted by county for supplies, courts, officers' salaries of all departments, and official authorization forms for payments. Arr. num. by warrant no. No index. Handwritten and typed on pr. fm. Pkgs., 9 x 12 x 11; vols., 125 to 200 pp. 7 x 11 x 1 to 14½ x 14 x 1; drawers, 10½ x 5 x 14 to 11 x 16¼ x 24. 1880-1900, dungeon va.; 1867-79, 1901-28, bsmt. va.; 1929--, off. va.
For related records see entry 4.

126. COUNTY ORDERS, 1880-1900. 12 vols. (labeled by inclusive order nos.).
Duplicates of orders issued, showing order number, fund drawn from, amount, purpose, date, to whom issued, total of all orders, and date order was received. Arr. num. by order no. No index. Handwritten on pr. fm. 125 pp. 15½ x 13½ x 1¼. Dungeon va.

127. MISCELLANEOUS (COUNTY AUDITOR'S DEPARTMENT), 1883-1908. 1 file drawer.
Orders for county purchases, canceled insurance policies, claims, debts, and miscellaneous orders. Arr. by years. No index. Handwritten on pr. fm. Condition poor. 10½ x 5 x 14. Bsmt. va.

128. REGISTER OF COUNTER-SIGNED COUNTY ORDERS, 1856-60. 1 vol.
Stubs of township and village orders, showing date, order number, in whose favor drawn, and amount. Arr. chron. by date of entry. No index. Handwritten. Condition of binding fair. 300 pp. 12½ x 7½ x 1. Dungeon va.

129. TOWN WARRANTS, 1892-1901. 1 vol. (labeled by inclusive warrant nos.).
Stub record of township warrants, showing date, to whom issued, name of treasurer of township, township revenue tax, road and bridge tax, road labor tax, interest on bonds, total, and date warrant received. Arr. num. by warrant no. No index. Handwritten on pr. fm. 200 pp. 7 x 14 x 1½. Dungeon va.

130. SCHOOL ORDERS, 1878-1901. 10 vols.
Duplicates of school orders issued, showing date, to whom issued, fund charged, amount of order, date received, date paid, total disbursements for each fund, and total of all funds. Arr. by months, chron. by date of order thereunder. No index. Handwritten on pr. fm. 250 pp. 8½ x 13½ x 1¼ to 17 x 11 x 1¼. Dungeon va.

Indebtedness

131. RECORD OF STATE LOANS, 1897--. 1 vol.
Last entry 1914.
Register of loans made from state, showing name of city, village, township, school district number, bond number, date, date payable, amount of bond, date of first installment, and date final installment paid. Arr. chron. by date of loan. No index. Handwritten under pr. heads. Condition of binding fair. 191 pp. 18 x 16 x 2. Off. va.

132. RECORD OF PUBLIC INDEBTEDNESS, January-February 1928. 1 vol. (1).
Register of bonded indebtedness and outstanding warrants of townships and school districts, showing name of local unit, school district number, date report received, purpose for which bonds were issued, amount of outstanding bonds, amount of outstanding warrants, and total indebtedness. Arr. alph. by name of local unit, and num. by school district no. No index. Handwritten under pr. heads. 150 pp. 15½ x 10½ x 1. Off. va.

133. SCHOOL DISTRICT BOND AND ORDER REGISTER, 1886--. 1 vol. (A).
Record of bonds issued for each school district and payment of same, showing number and name of school district, to whom issued, address, number of bond or order, amount of bond or order, rate of interest, date of issue, date registered, date of maturity, names of officers executing same, when redeemed, total amount paid, and remarks. Arr. num. by district no., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 112 pp. 16 x 10½ x 1¼. Off. va.

134. BOND REGISTER, 1915--. 1 vol.
Register of bonds issued by county for ditches, roads, bridges, courthouse refunding, and highway reimbursements, showing number of bond, date issued, names of county officers, title, to whom issued, amount of bond, rate of interest, when due, number of coupons, total interest of coupons, and when paid. Arr. chron. by date of issue. No index. Handwritten on pr. fm. 50 pp. 16 x 14 x ½. Off. va.
For related records see entry 12.

135. TOWN TREASURERS' BONDS AND BILLS, 1888-1911. 1 file drawer. Discontinued.
Original road and bridge bonds canceled upon payment, showing date of bond, township, road number, amount of bond and interest, and date paid. Arr. chron. by date of bond. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.
For related records see entry 12.

136. REDEEMED BONDS, 1931--. 1 file drawer.
Canceled county road funding bonds, swamp land fund, public drainage and ditch bonds, upon payment by county, showing date of issue, bond number, amount, signatures of president of county board and auditor, and date redeemed. Arr. num. by bond no. No index. Typed on pr. fm. 7 x 10¼ x 17. Off.
For related records see entry 12.

137. REDEEMED COUPONS, T. H. REIMBURSEMENT BONDS, 1931--. 2 metal file drawers.
Original coupons of trunk highway bonds, funding bonds, ditch and road and bridge bonds, showing date, bond number, amount of bond, rate of interest, and amount of interest paid. Arr. by years. No index. Typed on pr. fm. 7 x 10¼ x 17. Off. va.
For related records see entry 12.

Fees
(See also entries 227, 303, 317, 321.)

138. COUNTY OFFICERS' FEE STATEMENTS, 1873--. 1 file drawer.
Statements of fees charged by all officers, showing date, name of officer receiving fee, amount, service rendered, and attestation by auditor. Arr. by years, alph. by name of officer thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

Bounties

139. WOLF BOUNTY RECORD, 1877-99. 3 vols. Title varies: Wolf Record, 1877-92.
Copies of township supervisors' wolf bounty certificates; also contains liquor license records, showing date, amount, and name. Arr. chron. by date of entry. No index. Handwritten. 112 to 230 pp. (8 to 73 pp. used) 14 x 8½ x ½ to 14 x 9 x 1. 2 vols., 1877-92, 1897-99, dungeon va.; 1 vol., 1893-97, bsmt. va.
For related records see entries 151, 152.

140. WOLF BOUNTY AFFIDAVITS, 1879-1932. 1 file drawer.
Bounty affidavits for wolves killed, showing date, name of party, address, amount claimed, general information, and signature of claimant. Arr. chron. by date of instrument. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

141. WOLF BOUNTY WARRANTS, 1893-97. 1 vol. (labeled by inclusive warrant nos.).
Copies of warrants issued for wolf bounty, showing warrant number, sex of wolf, date killed, state or county bounties, amount received, date received, and signature of claimant. Arr. num. by warrant no. No index. Handwritten on pr. fm. 250 pp. (73 pp. used) 6½ x 11 x 1¼. Dungeon va.

Licenses

142. AUDITOR'S LICENSE RECORD, 1927--. 3 vols. (one unnumbered; 2, 3).
Stub record of game and fish licenses sold, showing to whom issued, address, purpose, amount paid, date, length of time license is valid, and name of agent. Arr. alph. by name of agent, chron. by date of entry thereunder. No index. Handwritten under pr. heads. 76 to 89 pp. 14 x 8½ x ½ to 16 x 11 x 1. Off. va.

143. YEARLY REPORT TO STATE OF MINNESOTA DEPARTMENT OF CONSERVATION, GAME AND FISH DEPARTMENT, 1927--. 2 vols. Title varies: Report of County Auditor to Game and Fish Commission, 1927-28.
Auditor's annual report to state conservation department relative to number of game licenses sold, showing date, total number of each kind issued, total amount collected, and signature of auditor. Arr. by years. No index. Handwritten on pr. fm. 25 to 200 pp. 11 x 8½ x ¼ to 5 x 8 x 3½. 1927-30, bsmt. va.; 1931--, off. va.

144. GAME AND FISH STATEMENTS, 1928--. 1 vol. (labeled by inclusive statement nos.).
Duplicate copies of game and fish statements, showing statement number, to whom issued, amount, and kind of license issued; also contains a record of collections from violations. Arr. num. by statement no. No index. Handwritten on pr. fm. 250 pp. 9¼ x 11¼ x 1½. Off. va.

145. REPORT OF COUNTY AUDITOR TO STATE GAME AGENT, 1931. 1 pkg.
Monthly reports on all licenses issued by Scott County, fishing, game, and trapping, including returns from licenses, showing date, kind and numbers of licenses, amount received, and receipts from agents. Arr. chron. by date of report. No index. Handwritten on pr. fm. 6 x 9 x 3½. Bsmt. va.

146. APPLICATION FOR INDIVIDUAL RESIDENCE FISHING LICENSE, 1931. 1 pkg. (labeled by inclusive application nos.).
Original applications for fishing licenses, showing application number, name and description of applicant, address, date license issued, and signature of auditor. Arr. num. by application no. No index. Handwritten on pr. fm. 5 x 7 x 3½. Bsmt. va.

147. APPLICATION FOR FAMILY RESIDENCE FISHING LICENSE, 1931. 1 pkg. (labeled by inclusive application nos.).
Original applications for family fishing licenses, showing name

of head of family or applicant, age, physical description, residence, date, names of members of family, ages, relationship, and auditor's signature. Arr. num. by application no. No index. Handwritten on pr. fm. 8 x 6 x 4. Bsmt. va.

148. APPLICATIONS FOR SMALL GAME LICENSES, 1931. 1 bundle (labeled by inclusive application nos.).
Original applications for small game licenses, showing application number, name, address, age, and physical description of applicant, and signature of auditor, if accepted. Arr. num. by application no. No index. Handwritten on pr. fm. 5¼ x 8¼ x 3. Bsmt. va.

149. MINNESOTA TRAPPING LICENSE, 1931. 1 vol. (labeled by inclusive license nos.).
Duplicates of licenses issued, showing license number, name of applicant, general description, date, residence, type of license, and signature of auditor. Arr. num. by license no. No index. Handwritten on pr. fm. 25 pp. 5¼ x 8¼ x ½. Bsmt. va.

150. AUCTIONEERS' LICENSE RECORD, 1897--. 3 vols. (A; two unlettered).
Register of auctioneers' licenses issued, showing date of license, amount of bond, name of auctioneer, residence, date recorded, and signature of auditor. Arr. chron. by date recorded. Indexed alph. by names of auctioneers. Handwritten under pr. heads. 65 pp. 11 x 16 x ½. Sheriff's off.
For related records see entry 165.

151. SPECIAL LIQUOR LICENSE, 1873-76. 1 vol. (labeled by inclusive license nos.).
Record of liquor licenses issued, showing number, name of licensee, business, date, amount, date presented, and when issued. Arr. num. by license no. No index. Handwritten. 200 pp. 5½ x 11 x 1. Dungeon va.
For related records see entries 139, 164, 165.

152. LIQUOR LICENSE BOOKS, 1895-1914. 1 file drawer.
Applications for licenses to sell liquor, showing application number, signature, address, place of business, date, and approval by auditor for license fee. Arr. num. by application no. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.
For related records see entries 139, 164, 165.

Elections, Bonds, and Oaths
(See also entries 290-293.)

153. RETURNS OF VOTED BALLOTS, 1853-67, 1928. 1 bundle, 10 envelopes. Title varies: Returns of Election, Votes Cast, Judges, 1853-67.
Election ballots returned by judges and report of votes cast, showing name of candidate, location of poll, nomination, office elected to, date, number of votes cast, total votes of precinct, total votes cast, and signatures of judges. Arr. alph. by twps., villages, or cities, num. by precincts thereunder. No index. Handwritten on pr. fm. Bundle, 10 x 14 x 12; envelopes, 8 x 13 x 2. Dungeon va.

154. ABSTRACT OF ELECTION, 1912--. 1 bundle, 1 file drawer.
Report on results of election returns, showing total votes cast, names of judges of polls, locations of polls, date, and list of nominations. Arr. alph. by name of twp. or village. No index. Handwritten on pr. fm. Bundle, 10½ x 12 x 7; drawer, 10½ x 5 x 14. 1912-32, bsmt. va.; 1932--, off. va.

155. LIST OF VOTERS OF SHAKOPEE, 1914--. 1 file drawer.
Poll list of registered voters of Shakopee, showing date, name of voter, address, and ward number. Arr. num. by ward no., chron. by date of list thereunder. No index. Handwritten and typed. Condition fair. 5 x 11 x 18. Engineer's off. va.

156. LIST OF QUALIFIED ELECTORS, 1874-84. 6 folders in 1 cardboard box.
List of persons qualified to vote, showing date, names of persons qualified, date of election, total number voting, and certification of judges. Arr. by years. No index. Handwritten on pr. fm. Box, 12 x 9 x 16; folders, 4 x 9 x ¼. Dungeon va.

157. STATEMENT OF TOWN AND SCHOOL OFFICERS ELECTED, 1897-98. 1 file drawer.
Certificate signed by local official at time of election or upon accepting position, witnessed by auditor; also list of school districts and names of superintendents and instructors of Scott County. Arr. alph. by name of twp. or village, and num. by school district no. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.
For related records see entries 96, 161.

158. OATHS AND BONDS OF COUNTY OFFICERS; ELECTION PAPERS, 1855--. 2 file drawers.
Certificates and sworn statements by officers elected at polls, showing year, name of officer elected, office filled, date taking oath, and signatures of officer and auditor. Arr. by years, alph. by name of office thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

159. OATHS OF COUNTY COMMISSIONERS, 1877-85. 1 file drawer.
Certificate of election of county commissioners, showing date elected, term, oath, amount of bond, acceptance of bond, name of surety, and signature and seal of principal. Arr. by years. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.

160. ASSESSORS' BONDS, 1856-1911, 1921--. 1 pkg., 1 file drawer.
Original bonds of assessors, showing name of assessor, township, date, oath of assessor, amount of bond, condition of obligation, signatures of principal and notary. Arr. by years, chron. by date of bond thereunder. No index. Handwritten on pr. fm. Pkg., 11 x 10 x 8; drawer, 10½ x 5 x 14. Bsmt. va.

161. TOWN TREASURERS' CERTIFICATES, 1879-1902. 1 file drawer.
Certificates of election of township treasurers, showing date, name of township, name of treasurer, term, oath, amount of bond, acceptance of bond, name of surety, signatures of treasurer and notary, and notary seal. Arr. by years, chron. by date of certificate thereunder. No index. Handwritten on pr. fm. Condition fair. 10½ x 5 x 14. Bsmt. va.
For prior and related records see entries 96, 157.

162. JUDGE'S AFFIDAVIT OF QUALIFICATIONS TO DRAW SALARY, 1903-27. 1 file drawer.
Certificates of judge of probate relative to clerk hire, administrators' and guardians' bonds, showing date, name of clerk, administrator, or guardian, title, and term. Arr. chron. by date of instrument. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.

163. PRINTERS' BONDS, AFFIDAVITS, 1873--. 2 file drawers.
Bonds and affidavits of county newspapers and publishers relative to publishing proceedings of county board, delinquent tax lists, bids, and ballots for election. Arr. chron. by date of instrument. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

Miscellaneous Statements and Receipts
(See also entries 358-362.)

164. MISCELLANEOUS STATEMENTS, 1906--. 16 vols. (labeled by inclusive statement nos.).
Carbon copies of statements issued for "off sale" and "on sale" licenses, fines, filing fees, gas tax, cemetery fund, special state aid and school, refund on highway bonds, grading and graveling, showing statement number, date, to whom issued, amount, purpose, fund credited, and signature of auditor. Arr. num. by statement no. No index. Handwritten on pr. fm. 150 pp. 12 x 9 x 1 to 12 x 12 x 1. 1906-25, dungeon va.; 1925-35, bsmt. va.; 1935--, off. va.
For related records see entries 151, 152.

165. MISCELLANEOUS RECEIPTS, 1878-1911. 1 file drawer.
Receipts for liquor licenses, filing fees, probate fees, auctioneers' licenses, school apportionments, and supplies purchased from county, showing number, date, to whom issued, amount, purpose, and signature of auditor. Arr. num. by receipt no. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.
For subsequent and related records see entries 150-152, 358.

166. AUDITOR'S STATEMENT OF TEACHERS' INSURANCE AND RETIREMENT FUND, 1916--. 5 vols. (labeled by inclusive statement nos.).
Carbon copies of statements issued by auditor for teachers' insurance and retirement fund, showing number, date, to whom issued, district number, teacher's name, amount, and signature of auditor. Arr. num. by statement no. No index. Handwritten on pr. fm. 175 pp. 11 x 12 x 1. 1916-34, bsmt. va.; 1934--, off. va.
For related records see entries 363-365, 385, 386.

Expenditures of Offices

167. REGISTER OF ORDERS AND EXPENDITURES, 1877-92. 1 vol.
Record of commissioners' fees and mileage, auditor's salary and supplies, light, fuel, clerk hire, clerk of court, witnesses and jurors, and office repairs. Arr. by accounts, chron. by date of entry thereunder. No index. Handwritten. 238 pp. 18 x 12 x 2½. Bsmt. va.

168. JOURNAL STATEMENT, 1902-3, 1915-26. 11 vols.
Summary of salaries and expenses of all county officials and offices, showing date, name of official, amount, office, and

total. Arr. alph. by name of office, chron. by date of entry thereunder. No index. Handwritten. 200 pp. 12 x 8 x 1. 1 vol., 1902, dungeon va.; 10 vols., 1903, 1915-26, auditor's and clerk of court's bsmt. vas.

169. COST ACCRUING IN MUNICIPAL COURT, 1901-30. 1 file drawer. Discontinued.
Reports of expenses accrued during trial of municipal court cases, showing amounts paid to witnesses, jurors, judge, clerk, and stenographer. Arr. chron. by date of report. No index. 1901-24, handwritten on pr. fm; 1925-30, typed on pr. fm. 10 x 5 x 14. Bsmt. va.

170. AGRICULTURAL AGENT'S EXPENSE ACCOUNT, 1921-34. 2 file drawers. Discontinued.
County agent's statement of expenses incurred through various departments of his work in county, such as cooperative extension work, express, freight, hauling, poultry, fees, automobile mileage, investigations, and club meetings. Arr. chron. by date of report. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.
For related records see entry 452.

Miscellany

171. REPORT TO PUBLIC EXAMINERS, 1908--. 1 file drawer.
Financial statement and report of county sent to public examiners for approval. Arr. chron. by date of report. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

172. PROBATE COURT ORDERS, 1924-32. 1 file drawer.
Certified copies of probate orders relative to inheritance tax, claims made by county against estates, discontinuance of mothers' pension, granting allowance, and modification of allowance. Arr. chron. by date of order. No index. Handwritten on pr. fm. 10½ x 5 x 14. Bsmt. va.
For related records see entries 124, 314, 315, 357.

173. ANNUAL REPORT OF THE COUNTY AGRICULTURAL AGENT, 1928-29. 2 vols.
Record of claims allowed by the auditor for agricultural extension work carried on by official and unofficial groups, showing date, name of claimant, address, and amount; also shows extension work carried on, including outlook, program, goal, results, and summary of accomplishments. Arr. chron. by date of claim. No index. Typed. 186 loose-leaf pp. 11 x 8½ x 1½. Off.
For related records see entry 454.

Correspondence

174. COMMUNICATIONS FROM STATE OFFICERS, 1910--.
3 file drawers.
Correspondence from public examiners, attorney general, and state superintendent of schools, pertaining to road construction, schools, assessments, election ballots, and miscellaneous requests. Arr. by years, alph. by name of correspondent thereunder. No index. Handwritten and typed. Condition fair. 10½ x 5 x 14. Bsmt. va.

175. OFFICE LETTERS FILE, 1936--. 1 file drawer.
General office correspondence, and correspondence pertaining to remittances received for delinquent taxes and tax penalties. Arr. alph. by name of correspondent. No index. Handwritten and typed. 11 x 16¼ x 24. Off. va.

III. REGISTER OF DEEDS

The register of deeds is custodian of all records of the county pertaining to property titles and transfers. He records all instruments lawfully entitled thereto, numbers and dates them, enters them in the reception book and the numerical register, copies them in the proper record books, compares them, pages them, and indexes them. Such instruments include various forms of deeds, real estate and chattel mortgages, liens and attachments, contracts for deeds, and numerous other documents brought to him for that purpose.(1) The recording must be completed and the instrument returned to the proper person within thirty days of its entry.(2)

Before entering upon the duties of his office, the register of deeds must take his oath(3) and furnish a bond approved as to amount and surety by the board of county commissioners. The custody of the bond has been the subject of considerable legislation. Originally the oath, taken before the clerk of the

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(1) General Statutes, 1878, 1:152; Mason's Minnesota Statutes, 1927, ch. 7, secs. 873-904-2.
(2) Laws, 1919, 206, 207, ch. 207.
(3) General Statutes, 1894, 1531, ch. 72, title 1, sec. 5634, provides all officers must take oaths.

district court or the judge of probate, was endorsed upon the election certificate and, together with a bond approved by the county board, filed with the clerk of the district court.(4) Later the bond and oath were recorded in the official proceedings of the county commissioners and forwarded to the secretary of state.(5) The duty of recording the documents was again assumed by the clerk of the district court in 1883.(6) At the present time the bond is approved by the county commissioners and a minute of the approval entered in the proceedings. The oath and bond are then recorded by the clerk of the district court and forwarded to the secretary of state for filing.(7) The term of office, originally placed at two years,(8) was changed to four years in 1913.(9) The register of deeds may be removed by the governor subject to appeal to the courts,(10) and vacancies in the office are filled by the county board for the remainder of the unexpired term.(11) The register may, by certificates in writing, appoint deputies for whose actions he is responsible and whose appointment he may revoke at pleasure. The oath of office of the deputy is endorsed on the certificate of appointment and recorded in the office of the register of deeds.(12)

The office of the register of deeds was established by the territorial legislature, its duties modeled after those of the same office in the territory of Wisconsin, which in turn was modeled after the office of recorder in the old Northwest Territory.(13)

In pursuance of the functions of his office, the register was to keep suitable books in which he was to record, "at large and in full, word for word", any instrument left with him for record, keeping separate books for deeds, mortgages, and other

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(4) Laws, 1849, 75, ch. 21, sec. 2.
(5) General Laws, 1881, 138, sec. 4.
(6) Ibid., 1883, 50, 51, ch. 47.
(7) General Statutes, 1894, 220, ch. 8, title 6, sec. 761; Mason's, 1927, 174, sec. 873.
(8) Laws, 1849, 75, ch. 21, sec. 1.
(9) Laws, 1913, 668, ch. 458, sec. 3; 1915, 233, ch. 168, sec. 123; Constitutional except as to clerk of the district court; State ex rel. Abel v. John A. Berg, 132 Minnesota Reports, 426; See also General Statutes, 1923, secs. 820, 821.
(10) Mason's, 1927, sec. 6954.
(11) General Statutes, 1923, sec. 822; Mason's, 1927, sec. 659.
(12) Laws, 1849, 76, ch. 21, sec. 6; General Statutes, 1923, 121, ch. 7, sec. 897.
(13) Laws, 1849, 75-78, 134, sec. 10.

instruments.(14) He was also to keep a "minute of reception", now called a reception book, in which he was to enter all deeds and other instruments left to be recorded and all copies left as cautions or notices of liens. Detailed procedure was outlined for entries in this book and on the back of the instrument.(15) Later it was provided that separate grantors' and grantees' reception books should be kept.(16)

An important duty of the office in the early days of first settlement, when horses, cattle, sheep, and hogs wandered at large over unfenced prairies and uncleared forests, was that of recording all marks and brands adopted by the owners.(17) Important, too, was the preserving of the procedure of the road commissioners who were establishing the routes still maintained in the present highway system.(18)

Aside from his duties as recorder of documents, the territorial register of deeds acted as clerk of the county board and kept its records,(19) supervised assessments and elections,(20) kept accounts concurrently with the treasurer, and attested all orders issued against the funds of the county.(21) In 1851 he was given charge of delinquent tax sales and redemptions.(22) All of these duties were assumed by the auditor in 1858 and 1860.(23)

The original duties of the office as to registration of documents have not changed materially, although they have been amplified and more elaborately defined.

The recording of every conveyance of real estate in the office of the register of deeds in the county where the property is situated is compulsory.

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(14) Laws, 1849, 76, ch. 21, sec. 5.
(15) Laws, 1849, 75, 76, ch. 21, sec. 4.
(16) General Statutes, 1866, 125, ch. 8, title 6, sec. 155; Mason's, 1927, 174, ch. 7, sec. 875.
(17) Revised Statutes, 1851, 140, 141, ch. 27, secs. 1, 2, 6.
(18) Public Statutes, 1849-58, 251-255, ch. 11.
(19) Laws, 1849, 76, sec. 7.
(20) Laws, 1849, 76-78, secs. 8-15.
(21) Laws, 1849, 76, sec. 7.
(22) Public Statutes, 1849-58, 239-246, secs. 48-94; Revised Statutes, 1851, 104-111, ch. 12, secs. 48-94.
(23) General Laws, 1858, 205, ch. 75, art. 15, secs. 8, 11; 210, 211, ch. 75, art. 18, secs. 1, 3-5, 7; 1860, 43-51, ch. 1, secs. 85-105; 153-159, ch. 75, secs. 18-21, 24-26, 29, 30, 38, 44, 45.

The terms "real estate" and "land", as used in the Minnesota laws, include the lot or tract of land and the structures thereon. The word "conveyance" thus used includes every instrument in writing whereby any interest in real estate is created, aliened, mortgaged, or assigned, or by which the title of the property may be affected in law or equity.(24)

By legislation of 1860, already mentioned, the register of deeds was authorized to record all notices of lis pendens for court actions to determine conflicting claims to real estate in the same books and in the same manner as mortgages,(25) and he was directed to provide and keep a general index of all real estate attachments, retaining at his office a copy of the writ of attachment on which he entered the time of receiving the copy of the writ on which the attachment was made, the date of receiving the attachment, the court to which the writ was returnable, and the names of the plaintiff and defendant in the suit, with the names of the defendants arranged alphabetically; the index to be open at all times to public inspection.(26) Notices of foreclosures are also filed in his office.(27)

Legislation of 1866 directed that maps, certificates, et cetera, of cases relating to the drainage of swamps, bogs, meadows, and other lands be filed in the office of the register of deeds in the county in which the land was situated and that the register of deeds record all wolf bounty records.(28)

A law of 1867 provided that an agricultural society, upon its organization, file a copy of its constitution and bylaws in the office of the register of deeds.(29) In 1870 the county commissioners were authorized to provide a tract index to be kept in the office of the register of deeds.(30) In 1874

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(24) Mason's, 1927, sec. 2322.
(25) General Laws, 1860, 232, 233, ch. 60, sec. 23.
(26) Ibid., 1860, 282, 283, repeals Public Statutes, 1849-58, 551, sec. 149 and subdivision 1 of sec. 148.
(27) General Laws, 1860, 276, ch. 87, sec. 1; Mason's, 1936 supplement, 925-932.
(28) General Laws, 1866, 69, sec. 13; 70, sec. 4; General Statutes, 1866, 126, 159.
(29) General Laws, 1867, 29.
(30) Ibid., 1870, 111, 112, ch. 52, sec. 1; 1871, 157, 158, ch. 93, secs. 1, 2; 1873, 162, ch. 42, secs. 1, 2; Mason's, 1927, 175, ch. 7, secs. 877-1 to 4; Laws, 1929, ch. 227, secs. 1-5; Mason's, 1938 supplement, ch. 7, secs. 877-1, 5 to 9.

provision was made for the recording of articles of incorporation in the office of the register in the county where the principal place of business of the corporation is located.(31) Another law of 1874 provided that notices of estrays, which were of more than five dollars in value, be filed in a book kept for that purpose in the office of the register of deeds. Previous legislation had required that such notices be filed with the clerk of the board of county commissioners.(32)

Legislation in 1876 provided that the register of deeds keep not only suitable books for recording all instruments left with him, but also that he keep an alphabetical index in separate books.(33) Legislation of 1877 directed the register, upon payment of fees by applicants, to record in a book of deeds all certificates on file in his office made by the sheriff upon sales of real estate on mortgage foreclosures, judgments, and executions prior to May 10, 1862.(34)

In 1909 the county commissioners of any county in which the register's office kept a deed index and a mortgage index were authorized to combine the reception books required by section 533 of Revised Laws, 1905, as amended by chapter 422 of Laws, 1905. The record book was designated as the numerical register and reception book.(35) A law of 1887 had previously directed the register of deeds to keep a consecutive index.(36)

All forms of chattel mortgages, including those of an equitable nature, must be filed. Under territorial law the duties of filing such instruments, or copies, devolved upon the register of deeds, who entered the names of the parties to the instruments in a book in which marks and brands were also recorded.(37) From 1860 to 1913 chattel mortgages were filed with the city, village, and township clerks or recorders.(38)

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(31) General Laws, 1874, 206, amends General Statutes, 1866, 263, sec. 3 of ch. 34. See also Revised Statutes, 1851, 169, ch. 39, sec. 23.
(32) Revised Statutes, 1851, 136, 137; General Laws, 1874, 193-196.
(33) General Laws, 1876, 85.
(34) Ibid., 1877, 161; Laws, 1905, 517, ch. 329.
(35) Revised Laws, 1905, sec. 533; Laws, 1909, 263, ch. 226, sec. 1; Mason's, 1927, 175, ch. 7, sec. 876.
(36) General Laws, 1887, 317, 318.
(37) Revised Statutes, 1851, 141, ch. 27, secs. 3-5.
(38) General Laws, 1860, 189, 190, ch. 33, secs. 2, 7.

Register of Deeds (Next entry 176, p. 140)

A legislative act of 1913 authorized the register of deeds to receive and file, on and after July first of that year, all chattel mortgages, bills of sale of chattels, and conditional sales contracts, except in cities of the first class. On that date the city, village, and township clerks or recorders were required to deliver to the register all documents and records of such a nature in their possession. Similar action was taken two years later in regard to liens and instruments evidencing liens on, or reserving title to, personal property. All such documents are filed in the county where the mortgagor, vendor, or grantor resides, unless the mortgagor or vendor lives outside the state, in which case the record is made in the county where the property mortgaged, sold, or pledged is located. Duplicates or copies of the instruments, certified by the register of deeds of the county in which any such instrument is made, may be filed with the register of deeds of any other county wherein any part of the personal property was situated when the instrument was made. Chattel mortgages, bills of sale, conditional sales contracts, and liens are received, entered, and indexed in the same manner as other documents, but are not copied verbatim. No such instrument may be removed from the office until canceled, released, or satisfied.

The certified report of his proceedings, required to be made by the person or officer making a sale of mortgaged chattels as required by section 3470 of Revised Laws, 1905, must be filed in the office of the register of deeds where the chattel mortgage is filed or to which it has been transferred, and when so filed the report, or a certified copy of it, becomes prima-facie evidence of the facts stated in it.

The register is required upon request to furnish an abstract of all chattel mortgages, bills of sale, conditional sales contracts, assignments, renewals, affidavits, and all other instruments on file in his office relating thereto.(39) This is also true of the other instruments on file in the office.(40)

Historical interest is combined with valuable land and title records in the original field notes of the United States

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(39) Chattel mortgages, et cetera, Laws, 1913, 164-166, ch. 143; 1917, 236, ch. 158; Mason's, 1927, sec. 8365; Laws, 1935, 326, 327, ch. 168; liens, et cetera, Laws, 1915, 496, ch. 364. For general provisions regarding chattels and liens, see Mason's, 1927, sec. 8364; Laws, 1935, 327, 328, ch. 169; Mason's, 1938 supplement, sec. 8364.

(40) General Statutes, 1923, sec. 900; Laws, 1927, 376, ch. 253; Mason's, 1927, 177, ch. 7, sec. 900.

survey(41) and in the United States land office records,(42) transcripts of which are kept by the register of deeds. Public records of surveys made by the surveyor are also filed with the register,(43) as are also surveys of parcels of land irregular in shape, that can be described only by metes and bounds, and which may be made by the surveyor or compiled by the auditor.(44) Plats of townsites, including cities, villages, and additions have been filed with the register since territorial days, and there is a penalty against selling any lots before such filing has been done.(45) In more recent years various laws have been passed providing for the correction and refiling of such plats.(46)

Other documents and instruments filed and recorded by the register include the following: assignments of sale of state lands,(47) copies of assignments of real estate for benefit of creditors,(48) certificates of employers' mutual liability insurance association,(49) certificates of incorporation of fraternal societies,(50) certificates of payment of awards or judgments in condemnation proceedings against land,(51) certificates of payment of taxes on ditch liens,(52) certified copies of resolutions vacating village streets,(53) county auditor's statements as to ditch liens,(54) record and description of farm names,(55) licenses for stallions from 1907 to

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(41) General Laws, 1870, 103, ch. 43, sec. 1; General Statutes, 1923, sec. 940.
(42) General Laws, 1870, 103, ch. 43, secs. 1, 2; General Statutes, 1923, sec. 940; Mason's, 1927, 129, ch. 7, sec. 940.
(43) General Statutes, 1913, sec. 981; Laws, 1919, 633, 634, ch. 480; Mason's, 1927, 185, sec. 937.
(44) General Statutes, 1923, sec. 2219.
(45) Revised Statutes, 1851, ch. 31.
(46) Laws, 1923, 203, 204, ch. 178; 1929, 566, 567, ch. 395; 1931, 410, 411, ch. 319.
(47) Laws, 1909, 550, 551, ch. 456, sec. 5.
(48) General Statutes, 1894, sec. 4228.
(49) Laws, 1913, 138, ch. 122, sec. 3.
(50) Laws, 1907, 521, 523, ch. 369, sec. 1.
(51) Laws, 1905, 325, 326, ch. 230, sec. 22, amended, 1909, 574, 575, ch. 469, sec. 8.
(52) Laws, 1907, 742, 743, ch. 470, sec. 25.
(53) Laws, 1902, 130, ch. 57.
(54) Laws, 1905, 324, 325, ch. 230, sec. 20.
(55) Laws, 1909, 166, 167, ch. 154, sec. 1.

1921,(56) mechanics' liens statements,(57) orders vacating plats,(58) seed grain contracts,(59) army, navy, and marine corps discharges,(60) and land grants.(61)

The official bonds and oaths of all county officers except his own, when approved by the county commissioners, are recorded in the office of the register of deeds, and forwarded by the register to the secretary of state.(62)

According to an opinion of the attorney general on July 14, 1933, the register of deeds may use loose-leaf record books.(63)

In 1917 it was provided that, in counties having no city of the first class but having abstract records, the county board might cause and direct such abstract records, when necessary, to be transcribed by the register of deeds.(64) Ameliorative legislation passed in 1927 provided for the completion of the work by any competent person in counties where the transcription had been started but was still unfinished.(65)

In Minnesota the register of deeds is also the registrar of titles under the Torrens system. The registrar is at all times under the control of the district court which may adopt such rules governing the conduct of his office as it deems advisable.(66) In 1901 the legislature passed an act permitting the registration of titles under the Torrens system in counties of over 75,000 inhabitants. A later act of 1909 extended the principle of this act to all counties.(67) The object and purpose of the Torrens act is to provide a summary and speedy method of determining rights and interests in real property and to authorize

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(56) Laws, 1907, ch. 436, repealed, 1921, 356, ch. 293, sec. 16.
(57) Revised Laws, 1905, 704, sec. 3511, amended, Laws, 1921, 976, ch. 521, sec. 1.
(58) Laws, 1909, 635, 636, ch. 503, sec. 1.
(59) Revised Laws, 1905, sec. 3480; General Statutes, 1913, sec. 6995; Laws, 1915, 257, ch. 191, sec. 1.
(60) Laws, 1919, 278, ch. 266.
(61) Laws, 1913, 625, ch. 427.
(62) Laws, 1849, 75, sec. 2; General Laws, 1874, 233, ch. 89, sec. 1; 1881, 138, ch. 110, sec. 5, amended, 1883, 50, 51, ch. 47, amended, Laws, 1909, 106, ch. 115, sec. 1; Mason's, 1927, 174, sec. 873; 192, sec. 981.
(63) Mason's, 1936 supplement, sec. 884.
(64) Laws, 1917, 121, ch. 97.
(65) Laws, 1927, 164, ch. 104.
(66) Mason's, 1927, secs. 8276, 8278.
(67) Laws, 1901, 347; 1905, ch. 305; 1909, 205.

the district court, in proceeding thereunder, to hear and determine all controversies respecting the title and by the proper decree definitely to fix, establish, and declare the title, rights, and interests of all interested parties.(68)

The register of deeds as registrar of titles of the county must give a bond to the state before entering upon his duties. The amount of the bond is determined by the county board. The bond is approved by the district court and filed in the office of the secretary of state, and a copy is filed and entered upon the records of the court. The registrar has an official seal which he fixes to documents requiring his signature.(69)

Applications for registering real property are addressed to the district court in the county where the land is situated. The district court has original, exclusive jurisdiction in the case, and has full power and authority to make all necessary orders, judgments, and decrees. Applications are filed with the clerk of the district court who dockets them in a land registration docket book. All orders, judgments, and decrees of the court in the proceedings are minuted in the docket. A copy of the application is filed with the register of deeds and has the force and effect of a lis pendens. The applicant also files an abstract of title to the land with the clerk of court.(70)

No land, the title of which is derived from any tax sale or local assessment sale, may be registered until such title has been adjudged to be valid by a court of competent jurisdiction and a certified copy of the decree recorded with the register of deeds. However, any person may make the application when the land has been in the adverse possession of the applicant or those through whom he claims title for at least fifteen years.(71)

An application for registration may be made by any of the following persons: the person or persons who singly or collectively own the land; the person or persons who singly or collectively have the power of disposing of the land; infants and other persons under disability, by their guardians appointed by the probate court; a corporation, by its proper officer or by an agent duly authorized by the board of directors; any executor; any administrator appointed by the probate court; a municipal corporation, by its mayor and city clerk, in the case of a city after a resolution passed by its council; and by the county

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(68) 94 Minnesota Reports, 216.
(69) Laws, 1905, 467, 468, ch. 305, secs. 29-31.
(70) Laws, 1905, 459, 460, ch. 305, secs. 11-13.
(71) Laws, 1905, 455, 456, ch. 305. secs. 2, 4.

auditor and chairman of the county board, in the case of a county, after a resolution passed by the county board so directing.(72)

One or more competent attorneys in the county may be appointed by the judge of the district court as examiners of titles and legal advisers of the registrar. If required to do so by the examiner, the applicant must have the land surveyed by some competent surveyor and file with the clerk a plat of the land certified by the surveyor. The examiner also ascertains whether or not any judgment exists which may be a lien on the land. Tax liens held by the state render it a necessary party to the proceedings.(73)

A summons in application for registration is subscribed by the clerk of court and is served in the manner provided by law for the service in civil actions in the district court. When an answer is filed the case is tried by the court in the same manner as an ordinary civil action.(74)

If the court, after hearing, finds that the applicant has title proper for registration, a decree of title and registration is ordered entered.(75)

Every decree of registration bears the date, showing the year, day, hour, and minute of its entry, and is signed by one of the judges of the district court. It states whether the owner is married or single and, if married, the name of the husband or wife; if the owner is under disability, it states the nature of the disability; and if a minor, it states his age. It contains a description of the land as finally determined by the court, sets forth the estate of the owner, and, in such manner as to show their relative priority, all particular estates, mortgages, easements, liens, attachments, and other encumbrances, including rights of husband and wife, if any, to which the land or the owner's estate is subject, and it also contains any other matter properly determined by the court.(76) Immediately upon the filing of the decree of registration the clerk files a certified copy in the office of the registrar of titles who proceeds to enter the title pursuant to the terms of the decree. The certificate of registration or title contains and conforms in respect to all statements to the certified copy of

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(72) Laws, 1905, 455, ch. 305, sec. 2.
(73) Laws, 1905, 459, 460, ch. 305, secs. 12, 13.
(74) Laws, 1901, ch. 237, secs. 18-26.
(75) Laws, 1901, ch. 237, sec. 27.
(76) Laws, 1901, ch. 237, sec. 31.

the decree of registration.(77) The entering of the certificate of title in the "Register of Titles" constitutes the act of registration. All first and subsequent original certificates of title are entered or recorded by binding or recording them in the register, consecutively in the order of their numbers. Each certificate, with accompanying blanks, constitutes a separate folium of the book. All memorials and notations are entered upon the page wherein the last certificate of title of the land to which they are related is entered. The term "certificate of title" includes all the memorials and notations as well as the original document.(78) The certificate or copy, as well as deeds, mortgages, or other conveyances, and all instruments affecting titles are received as conclusive evidence in court. (79)

The acquisition of a decree of registration and the receipt of a duplicate certificate of title are deemed as an agreement running with the land, binding upon the applicant and his successors in the title that the land shall be and remain registered land, and if any defects in the title should arise the applicant cannot be dispossessed. Instead, anyone proving a valid claim will be recompensed from the assurance fund.(80)

Upon original registration of land and also upon registration of any land by heirs or devisees of any deceased person, one-tenth of one percent of the assessed value of the land, exclusive of improvements, as determined by the last official assessment for general taxation, is paid to the registrar, and this money is turned over by him to the county treasurer as an assurance fund.(81)

The registrar keeps tract indexes in which he enters an accurate description of all registered land together with the names of the respective owners, and a reference to the volume and page of the register of titles in which the land is registered. He also keeps indexes in which he enters in alphabetical order the names of all owners of registered land, and the names of all persons having any interest in or lien upon the land, with reference to the volume and page of the register of titles in which the certificate of title is entered. The

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(77) Laws, 1901, ch. 237, sec. 36, as amended by Laws, 1902 extra session, ch. 11.
(78) Laws, 1901, ch. 237, sec. 35.
(79) Laws, 1901, ch. 237, sec. 42.
(80) Laws, 1901, ch. 237, sec. 37.
(81) Laws, 1905, 486, sec. 73; Mason's, 1927, secs. 8320, 8321.

registrar keeps two books known as the grantors' and grantees' reception books, the forms of which are prescribed by law. In these books the registrar enters, as soon as received, all instruments affecting the title of land which are filed with him, and he enters the particulars of the instruments in the appropriate columns of the books; the pages of each of the reception books are lettered in alphabetical order and each entry is made in the grantors' reception book under the initial letter of the grantor's surname and in the grantees' reception book under the initial letter of the grantee's surname, and all the entries under each letter appear in the order as to time at which the instruments are filed.(82)

Every instrument affecting the title to land filed with the registrar is numbered by him consecutively, and is endorsed by him stating the number of the instrument together with the date, hour, and minute when it was filed, and a reference to its proper certificate of title. Every such instrument is retained by the registrar and is regarded as registered from the time of filing.(83)

All records and papers relating to registered land in the office of the registrar are open to the public at such times and under such conditions as the court may prescribe, and no erasure, alteration, or amendment may be made upon the register of titles after entry is made, except by order of the court. The registrar furnishes certified copies of instruments filed and registered in his office upon payment of a fee.(84)

Registered land is subject to the same burdens and incidents which attach by law to unregistered land.(85) Any instrument to create a lien on registered land must be filed with the registrar. An owner of registered land may convey, mortgage, lease, or otherwise deal with the land as if it had not been registered. Mortgages upon registered land may be foreclosed in the same manner as mortgages upon unregistered land.(86)

By a specific act applying only to his own office,(87) and by another act which includes several other offices as well,(88)

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(82) Laws, 1905, 470-472, ch. 305, sec. 36.
(83) Laws, 1905, 472, sec. 37.
(84) Laws, 1905, 484, sec. 69.
(85) Laws, 1901, ch. 237, sec. 54.
(86) Laws, 1905, 477, 481, secs. 52, 61.
(87) Mason's, 1927, 176, ch. 7, sec. 882.
(88) Mason's, 1927, ch. 7, sec. 987.

the register of deeds is required to exhibit, free of charge, during office hours, any of the records or papers in his official custody to the inspection of any person demanding the same, either for examination or for the purpose of making or completing an abstract or transcript therefrom. The register also furnishes any person demanding same, upon payment of a fee, a certified copy of any record, file, or paper in his office, although he is not specifically designated in the law providing for such copies.(89)

At the first meeting of the board of county commissioners of Scott County on April 29, 1853, William Nobles was appointed clerk of the board and at the first general election in October of the same year he was elected register of deeds.(90) At a meeting of the county board on September 3, 1872, it was ordered that the register of deeds make up the tract indexes in accordance with the law of 1872.(91) At a meeting held on March 18, 1874, the register was authorized to transcribe, from Dakota County books, records relating to the lands taken from Dakota County and added to Scott County.(92) The register's records are found in the office, office vault, and in the dungeon vault.

Reception Books

176. DOCKET, 1853-56, 1879-90. 2 vols.
Register of instruments filed and recorded, showing date of reception, names of grantor and grantee, description of property, kind of instrument, to whom delivered, and book and page where recorded. Arr. alph. by name of grantor. No index. Handwritten under pr. heads. 200 pp. 14 x 9 x 1. Dungeon va.

177. RECEPTION BOOK (Numerical Register and Reception Book), 1856--. 8 vols. (two unlettered; C-H).
Register of all instruments filed and recorded, showing instrument number, date of reception, names of grantor and grantee, fees, where situated, to whom delivered after record, kind of instrument, and book and page where recorded. Arr. num. by instrument no. No index. Handwritten under pr. heads. 200 to 600 pp. 13¼ x 8¼ x 1¼ to 17 x 14½ x 2½. One unlettered vol., 1856-74, dungeon va.; one unlettered, C-H, 1875--, off. va.

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(89) Mason's, 1927, 192, ch. 7, sec. 988 mentions only the county auditor, probate judge, and clerk of the district court.
(90) County Commissioners' Records, A:1.
(91) Special Laws, 1872, 608; Commissioners' Records, D:48.
(92) General Laws, 1871, 163; Commissioners' Records, D:157.

178. NUMERICAL INDEX RECORD AND FILES, 1887-89. 1 vol. (1).
Guide to instruments filed and recorded, showing instrument number, kind of instrument, when received, and where recorded. Arr. num. by instrument no. No index. Handwritten under pr. heads. 600 pp. 17½ x 13 x 2½. Dungeon va.

General Indexes

179. GENERAL INDEX, GRANTOR, 1854--. 7 vols. (A-C, 4-7).
Serves Copies of United States Land Entries, entry 181, Deed Record, entry 182, showing names of grantor and grantee, kind of instrument, date, consideration, book and page where recorded, number of instrument, description of property, and date filed. Arr. alph. by name of grantor. Handwritten under pr. heads. 350 pp. 16 x 11½ x 2½. Off. va.

180. GENERAL INDEX, GRANTEE, 1854--. 7 vols. (A-C, 4-7).
Serves Copies of United States Land Entries, entry 181, Deed Record, entry 182, showing names of grantee and grantor, kind of instrument, date, consideration, book and page where recorded, number of instrument, description of property, and date filed. Arr. alph. by name of grantee. Handwritten under pr. heads. 350 pp. 16 x 11½ x 2½. Off. va.

Real Estate

Deeds

181. COPIES OF UNITED STATES LAND ENTRIES, 1854-64. 2 vols. (1, 2).
Copies of certificates of entries, showing date of certificate, register number, legal description, number of acres, rate per acre, consideration, date of sale, date of patent, grantee, numbers of receipt and of certificate of purchase, where recorded, and remarks. Arr. by twps., num. by section nos. thereunder. For indexes see entries 179, 180. Handwritten under pr. heads. 300 pp. 19 x 31 x 3¼. Off. va.

182. DEED RECORD, 1853--. 98 vols. (A-H, J-Z, A2-H2, J2-N2, 39-98).
Copies of warranty, quitclaim, trust, and other deeds, easements, foreclosures, leases, testaments, contracts for deeds, powers, sheriff's certificates, decrees of descent, and decrees of distribution. Arr. chron. by date of recording. For indexes see entries 179, 180, 222. Handwritten and handwritten on pr. fm. 650 pp. 18 x 12½ x 2½. Off. va.

Land Transferred from Dakota County
(See also entry 99.)

183. TRANSFERS FROM DAKOTA COUNTY TO SCOTT COUNTY, 1874. 1 vol.
A record of land transferred from Dakota County to Scott County, showing legal description of land, deeds, mortgages, and miscellaneous items concerning the land. Arr. by twps., sections, and subdivisions. No index. Handwritten. 640 pp. 18¼ x 13 x 2½. Off. va.

Mortgages

184. MORTGAGE RECORD, 1853--. 72 vols. (A-H, J-X, 24-72).
Copies of mortgages on real property, including federal, individual and corporation mortgages, assignments and satisfactions; also copies of ditch liens and releases, notices of lis pendens and releases, and copies of district court land decrees. Arr. chron. by date of recording. For indexes see entries 185, 186, 222. Vols. A-H, J-O, handwritten; P-X, 24-70, handwritten on pr. fm.; 71, 72, typed on pr. fm. 640 pp. 18 x 12½ x 2½. Off. va.
For related records see entries 117, 262, 326.

185. MORTGAGE INDEX, MORTGAGOR, 1855--. 7 vols. (A, B; 3-7).
Index to mortgages, showing names of mortgagor and mortgagee, kind of instrument, date of instrument, consideration, book and page where recorded, description of property, number of instrument, and date filed. Arr. alph. by name of mortgagor. Handwritten under pr. heads. 350 pp. 16½ x 11½ x 2½. Off. va.

186. MORTGAGE INDEX, MORTGAGEE, 1855--. 7 vols. (A, B; 3-7).
Index to mortgages, showing names of mortgagee and mortgagor, kind of instrument, date of instrument, consideration, book and page where recorded, description of property, number of instrument, and date filed. Arr. alph. by name of mortgagee. Handwritten under pr. heads. 350 pp. 16½ x 11½ x 2½. Off. va.

187. SHERIFF'S CERTIFICATES OF MORTGAGE SALE, 1856-60. 1 vol. (1).
Copies of sheriff's certificates of foreclosure sales, showing date, certification, name of purchaser, description of property, date of sale, purchase price, signatures of sheriff, notary, and register of deeds, and date filed for record. Arr. chron. by date of sale. No index. Handwritten on pr. fm. 640 pp. 18 x 13 x 3. Off. va.
For related records see entries 102, 325.

Liens

188. LIEN RECORD, 1859--. 2 vols. (A, B).
Record of liens filed against property for labor, material, or both, showing instrument number, date, name of claimant, name of owner, amount of lien, description of property, type of service rendered, list of material purchased, signatures of claimant and witnesses, date filed and recorded, and signature of register of deeds. Arr. chron. by date of recording. Indexed alph. by names of claimants. Handwritten on pr. fm. 450 pp. 16¼ x 12 x 2¼. Off. va.

189. FEDERAL LIEN RECORD, 1923--. 1 vol. (1).
Record of notices of tax liens under internal revenue laws and certificates of discharge, showing instrument number, date, name of taxpayer, residence, nature of tax, taxable period, amount of tax and penalty, date assessment list received, signature of collector, date filed, and signature of register of deeds. Arr. chron. by date of filing. Indexed alph. by names of taxpayers. Handwritten on pr. fm. 482 pp. 18 x 13 x 2¼. Off. va.

Title Registration

(See also entries 261-263.)

190. NUMERICAL RECEPTION BOOK, REGISTERED LANDS (Torrens), 1913--. 1 vol. (1).
Registration of instruments relative to Torrens system, showing number of instrument, date of registration, names of grantor and grantee, description of property, location, where recorded in register, kind of instrument, file number, and amount of fee. Arr. num. by instrument no. For indexes see entries 191, 192. Handwritten under pr. heads. 161 pp. 18 x 13 x 2¼. Off.

191. GRANTORS' INDEX, REGISTERED TITLES, 1913--. 1 vol. (1).
Serves Numerical Reception Book, Registered Lands (Torrens), entry 190, Applications for Registration of Titles, entry 193, Registration of Titles (Torrens), entry 194, Torrens (Canceled Certificates), entry 196, showing names of grantee and grantor, date of registration, instrument number, where recorded in register, kind of instrument, where recorded in decree record, and description of property. Arr. alph. by name of grantor. Handwritten under pr. heads. 162 pp. 18 x 13 x 2. Off. va.

192. GRANTEES' INDEX, REGISTERED TITLES, 1913--. 1 vol. (1).
Serves Numerical Reception Book, Registered Lands (Torrens), entry 190, Applications for Registration of Titles, entry 193, Registration of Titles (Torrens), entry 194, Torrens (Canceled Certificates), entry 196, showing names of grantee and grantor, date of registration, instrument number, where recorded in register, kind of instrument, where recorded in decree record, and description of property. Arr. alph. by name of grantee. Handwritten under pr. heads. 162 pp. 18 x 13 x 2. Off. va.

193. APPLICATIONS FOR REGISTRATION OF TITLES, 1913--. 2 vols. (1, 1).
Copies of applications to judge of district court for registration of titles of lands under Torrens system, showing instrument number, name of grantee, name of applicant, address, description of property, assessed valuation of property, list of persons having liens against described land, signatures of persons assenting to registration of title, certification of clerk of court, date filed, and signature of register of deeds. Arr. chron. by date of filing. For indexes see entries 191, 192. Handwritten on pr. fm. 164 pp. 18 x 13 x 1½. Off.

194. REGISTER OF TITLES (Torrens), 1913--. 2 vols. (1, 2).
Original certificates of ownership of real property registered under the Torrens system, showing certificate number, district court number, transfer number, date of original registration, book and page numbers of preceding certificate on same property, name of owner, residence, age, marital status, description of property, and signature and seal of registrar of titles; also shows memorial of estates under which easements, encumbrances, and liens against the described property are recorded, showing kind of instrument, number, date registered, amount of encumbrance, in whose favor, and signature of registrar. Arr. num. by certificate no. For indexes see entries 191, 192. Handwritten on pr. fm. 158 pp. 18 x 13 x 2. Off. va.

195. DECREE (Torrens), 1913--. 2 vols. (1, 1).
Decrees of district court authorizing register of deeds to issue certificate of title to applicant, showing name of applicant, description of property, date of decree, order of the court, signatures of judge and clerk of court, and date recorded. Arr. chron. by date of decree. No index. Handwritten on pr. fm. 319 pp. 18¼ x 13¼ x 3¼. Off. va.
For related records see entries 102, 262.

196. TORRENS (Canceled Certificates), 1912--. 6 file drawers (labeled by inclusive certificate nos.). Certificates of title surrendered for cancelation upon issue of certificate to new owner, showing number, date, by whom surrendered, description of property, memorial of estates, easements on charges, signature and seal of registrar, and date registered. Arr. num. by certificate no. 1912, no index; for indexes, 1913--, see entries 191, 192. Handwritten on pr. fm. 10½ x 5 x 14. Off. va.

Tract Indexes

(See also entry 101.)

197. TRACT INDEX, LANDS, 1854--. 2 vols. (1, 2). A guide to the location and ownership of unplatted property, showing section, township, and range numbers, kind of instrument, and book and page where recorded. Arr. num. by twp. and section nos., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 500 pp. 18¼ x 13 x 2½. Off. va.

198. TRACT INDEX, LOTS, 1854--. 2 vols. (1, 2). Guide to ownership, location, and instruments filed for platted property, showing name of village or city, name of addition, block number, lot number, list of instruments filed for each lot, kind of instrument, and book and page where recorded. Arr. by village or city, alph. by addition, and num. by subdivisions thereunder. No index. Handwritten under pr. heads. 350 pp. 18¼ x 13 x 2½. Off. va.

199. TRACT INDEX, REGISTERED LANDS (Torrens), 1913--. 1 vol. (1). Guide to instruments filed for each parcel of registered land, showing section, township, and range numbers, name of last registered owner, when registered, where recorded in register, and description of property. Arr. num. by twp. and section nos., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 325 pp. 18 x 13 x 2. Off. va.

200. TRACT INDEX, REGISTERED LOTS (Torrens), 1914--. 1 vol. (1). Guide to instruments filed for registered lots within villages or cities, showing name of village or city, name of subdivision or addition, block number, lot number, name of owner, date of registration, where recorded in register, and description of property. Arr. by village or city, alph. by additions and num. by block and lot nos. thereunder. No index. Handwritten under pr. heads. 325 pp. 18 x 13 x 2. Off. va.

Abstracts

201. ABSTRACT RECORD, LANDS, 1857--. 6 vols. (two unnumbered; 1, 1, 2, 2).
List of instruments filed affecting the title to each section or subdivision of each section, showing section, township, and range numbers, names of grantor and grantee, kind of instrument, subdivision of section, where recorded, consideration, date of instrument, date of filing, and remarks. Arr. num. by twp. and section nos., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 400 to 800 pp. 17¼ x 16 x 3 to 23 x 16½ x 5. Off. va.

202. ABSTRACT BOOK, LOTS (Abstract Record Lots), 1857--. 9 vols. (six unlettered; A-C).
List of instruments filed affecting the title to lots, showing names of grantor and grantee, kind of instrument, subdivision, where recorded, consideration, date of instrument, date of filing, and remarks. Arr. alph. by city or village, alph. by additions, num. by block and lot nos., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 400 to 800 pp. 17¼ x 16½ x 3 to 23 x 16½ x 5. Off. va.

Maps, Plats, and Surveys
(See also entries 100, 120, 406-423.)

203. PLAT BOOK, 1855-87. 1 vol.
Copies of plats of townships and villages, showing number of township or name of village, subdivision, railroads, lakes, rivers, roads, streets, avenues, and certification of surveyor as to exactness of descriptions and boundaries. Arr. by twp. and village, num. by section no. and alph. by addition thereunder. No index. Handdrawn. 200 pp. 12½ x 7½ x 1. Dungeon va.

204. PLATS AND FIELD NOTES OF SCOTT COUNTY, 1871. 1 vol.
Copies of original plats of Scott County with field notes on each plat surveyed in 1854 by Hiram Fellows, certified by Surveyor General C. T. Brown in 1871, showing township, range, section, and meridian numbers, boundaries, lakes, rivers, interior section corners described, and interior quarter-section corners described. Arr. num. by twp. no., num. by section no. thereunder. No index. Printed. 40 pp. 17¼ x 16 x 1. Off. va.

205. PLATS OF SCOTT COUNTY, 1856--. 1 cabinet.
Original plats of townships, villages, and cities of Scott County, showing plat number, boundaries, sections, additions, subdivisions, streets, avenues, alleys, lakes, rivers, and school districts. Arr. num. by plat no. Indexed alph. by names of twps., villages, and cities. Handdrawn. 48 x 48 x 18. Off. va.

206. MAP OF SURVEYS FOR STATE ROADS, 1884. 1 map.
Survey for state roads, showing roads and line of travel, St. Paul via Mendota and Hamilton, including engineer's marks. 1"-4 miles. Black and white. 29 x 24. Dungeon va.

207. SURVEY RECORD, 1885--. 1 vol. Last entry 1931.
Certified surveys and field notes made to verify exact lines of sections of land when owner wishes verification, showing date of survey, name of township, section, township, and range numbers, plat of section, field notes, signature of surveyor, and date certified. Arr. chron. by date of survey. Indexed alph. by names of twps. Handwritten and handdrawn. 425 pp. 17½ x 14½ x 2¼. Off. va.

208. PLAT OF CEMETERY, 1898. 1 plat.
Plat map of Valley Cemetery, showing lot numbers, and names of owners; also shows plat of land surrounding cemetery. Handdrawn. Black and white. 18 x 24. Dungeon va.

209. PLAT (ADDITION NO. 3 TO THE JORDON CEMETERY), 1891. 1 plat.
Plat of actual survey of Jordon Cemetery, new lot nos. 1-100, old block nos. 1-119, showing surrounding and adjoining land, blocks of additions one and two, and lots of new addition. 1"-20'. Black and white. Handdrawn. 18 x 24. Dungeon va.

210. PLAT EXHIBIT NO. 1. OF ENGINEER'S REPORT ON COUNTY DITCH NO. 5, 1916. 1 map.
Plat of ditch number five, showing description of property benefited, course through sections, depth of cut, width at top, width at bottom, and date of survey. Black and white. 41 x 96. Dungeon va.

Personal Property

Chattel Mortgages up to 1913

211. CHATTEL MORTGAGE RECORD, 1863-1913. 12 vols. (labeled by names of twps.)
Register of chattel mortgages, sales contracts, satisfactions, and assignments kept by village and township clerks, showing type of instrument, names of mortgagor or vendor, mortgagee or vendee, number and date of instrument, amount received, date due, date filed, date of satisfaction, and remarks. Arr. chron. by date of filing. Handwritten under pr. heads. 240 pp. 16½ x 11½ x 2. Dungeon va.
For original satisfactions see entries 215, 216.

212. CHATTEL MORTGAGE INDEX BOOK, 1863-1913. 3 vols.
Serves Chattel Mortgage Record, entry 211, Satisfactions of Chattel Mortgages, entry 215, Bills of Sale, Releases, Satisfactions, entry 216, showing kind of instrument, names of mortgagor, vendor, or debtor, mortgagee, vendee, or creditor, instrument number, date of instrument, amount received, when due, date of filing, date of satisfaction, and remarks. Arr. alph. by name of mortgagor. Handwritten under pr. heads. 240 pp. 16½ x 11½ x 2. Dungeon va.

Chattel Mortgages After 1913

213. NUMERICAL REGISTER, CHATTEL MORTGAGE, 1913--. 2 vols. (1, 2).
Registration of chattel mortgages, sales contracts, releases, and satisfactions, showing instrument number, date of filing, from whom received, where indexed or filed, fees, kind of instrument, and remarks. Arr. num. by instrument no. No index. Handwritten under pr. heads. 300 pp. 18 x 13 x 2. Off.

214. CHATTEL MORTGAGES, 1913--. 72 file drawers.
Original copies of chattel mortgages, conditional sales contracts, satisfactions, and releases, showing date, instrument number, names of mortgagor and mortgagee, amount, terms of contract, signatures of mortgagor and witnesses, date filed and recorded, and signature of register of deeds. Arr. num. by instrument no. For indexes see entries 217-219. Handwritten and typed on pr. fm. 10 x 4½ x 14. Off. va.

215. SATISFACTIONS OF CHATTEL MORTGAGES, 1857--. 31 file drawers.
Original satisfactions of chattel mortgages, showing instrument

number, certification of payment by mortgagee, date, notary seal, date filed, and signature of register of deeds. Arr. num. by instrument no. For indexes see entries 212, 217-219. Handwritten and typed on pr. fm. 9½ x 5 x 12. 1857-1900, clerk of court's bsmt. va.; 1900-1913, dungeon va.; 1913--, off. va.
For related records see entries 211, 216.

216. BILLS OF SALE, RELEASES, SATISFACTIONS, 1857--. 4 file drawers.
Original instruments including conditional sales contracts, release certificates, and satisfactions of chattel mortgages. Arr. num. by instrument no. For indexes see entries 212, 217-219. Handwritten and typed on pr. fm. 9½ x 5 x 12. Off. va.
For related records see entries 211, 215.

217. CHATTEL MORTGAGE INDEX, GRANTOR, 1913--. 3 vols. (1-3).
Serves Chattel Mortgages, entry 214, Satisfactions of Chattel Mortgages, entry 215, Bills of Sale, Releases, Satisfactions, entry 216, showing kind of instrument and number, date of filing, date of instrument, names of grantor or mortgagor, grantee or mortgagee, amount secured, when due, when satisfied, file number, to whom delivered, and remarks. Arr. alph. by name of grantor. Handwritten under pr. heads. 322 pp. 18½ x 15¼ x 3. Off. va.

218. CHATTEL MORTGAGE INDEX, GRANTEE, 1913--. 3 vols. (1-3).
Serves Chattel Mortgages, entry 214, Satisfactions of Chattel Mortgages, entry 215, Bills of Sale, Releases, Satisfactions, entry 216, showing kind of instrument and number, date of filing, date of instrument, names of mortgagee or grantee, grantor or mortgagor, amount secured, when due, when satisfied, file number, to whom delivered, and remarks. Arr. alph. by name of grantee. Handwritten under pr. heads. 322 pp. 18½ x 15¼ x 3. Off. va.

219. CHATTEL INDEX, 1934--. 1 vol.
Serves Chattel Mortgages, entry 214, Satisfactions of Chattel Mortgages, entry 215, Bills of Sale, Releases, Satisfactions, entry 216, showing names of mortgagee and mortgagor, and file number. Arr. alph. by name of mortgagee. Typed. 150 loose-leaf pp. 14¼ x 10 x 1. Off.

Special Instruments

220. MISCELLANEOUS RECORD, 1857--. 11 vols. (A, B, 3-11).
Copies of miscellaneous instruments not recorded elsewhere, including copies of letters of administration, letters of guardianship, letters of administration with will annexed, letters testamentary, death certificates, articles of incorporation, wills, affidavits, affidavits of identity, leases, charters, appointments and oaths of deputies, certificates of change of corporate title, powers of attorney, bonds, and easements. Arr. chron. by date of recording. For indexes see entries 222, 223. Handwritten and typed on pr. fm. 640 pp. 18 x 12 x 3¼. Off.

221. EASEMENTS, 1934. 1 vol.
Record of easements secured by Minnesota Valley Natural Gas Company from property owners, showing instrument number, name of property owner, description of property, agreement, signatures of property owner and witnesses, date filed, and signature of register of deeds. Arr. num. by instrument no. For indexes see entries 222, 223. Handwritten on pr. fm. 300 pp. 17 x 11 x 2½. Off. va.

222. MISCELLANEOUS INDEX, 1853--. 1 vol.
Serves Deed Record, entry 182, Mortgage Record, entry 184, Miscellaneous Record, entry 220, Easements, entry 221, and shows name of principal, kind of instrument, and where recorded. Arr. alph. by name of principal. Handwritten under pr. heads. 800 pp. 23 x 17 x 4. Off. va.

223. INDEX TO MISCELLANEOUS INDEX, 1857--. 1 vol. Compiled in 1936.
Index shows names of grantor and grantee, kind of instrument, and where recorded. Arr. alph. by name of grantor. Handwritten under pr. heads. 120 pp. 16 x 10½ x 1. Off. va.

Military Discharges

224. RECORD OF SOLDIERS' AND SAILORS' DISCHARGES, 1919--. 1 vol. (1).
Copies of United States official army, navy, and marine discharge papers, showing instrument number, date of filing, signature of register of deeds, name of soldier, sailor, or marine, number and division of service, reason for discharge, description of party discharged, date of discharge, reasons for discharge, and signature of commanding officer; enlistment

record, showing date and place of enlistment, length, type, and place of actual service, wounds, physical condition, remarks, signatures of soldier, sailor, or marine and commanding officer, and date. Arr. chron. by date of filing. Indexed alph. by names of soldiers, sailors, and marines. Handwritten on pr. fm. 640 pp. 18½ x 13¼ x 3. Off. va.

Miscellaneous Registrations

225. STALLION REGISTRATION RECORD, 1907-21. 1 vol. (1).
Copies of certificates of stallion registration, showing date, grade of stallion, pedigree, name, age, weight, height, color, and description, and name of owner. Arr. chron. by date of entry. Indexed alph. by names of stallions. Handwritten on pr. fm. 160 pp. 14 x 9½ x 2. Dungeon va.

226. APPLICATION FOR REGISTRATION OF MOTOR VEHICLE, 1919-21. 1 file box.
Original applications for registration of motor vehicles, showing number, date, name of applicant, residence, sex, physical description, make of car, model, type, motor number, serial number, from whom purchased, and signatures of applicant and register of deeds. Arr. num. by application no. No index. Handwritten on pr. fm. 6 x 9 x 12. Dungeon va.

Fees
(See also entries 138, 303, 317, 321.)

227. REGISTER OF DEEDS' FEE BOOK, 1897-1900. 1 vol.
Record of fees collected, showing date, kind of instrument, from whom received for recording, conveyancing, or abstracting, amount, and remarks. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 160 pp. 16½ x 14 x 1. Dungeon va.

Correspondence

228. CORRESPONDENCE, 1924--. 1 pkg., 3 file drawers.
Letters relative to abstracts, fees, and recording of instruments. Arr. alph. by name of correspondent. No index. Handwritten and typed. Pkg., 4 x 12 x 12; file drawers, 12 x 15 x 27. Pkg., 1924-29, dungeon va.; file drawers, 1930--, off.

(Next entry 229, p. 160)

IV. CLERK OF THE DISTRICT COURT

The office of clerk of the district court was authorized by the organic act, which provided that each district court, or the judges thereof, should appoint its clerk who should also be register in chancery. This clerk was to keep his office at the place where the court was held and was to receive the same fees which the clerks of the district courts in the recent Territory of Wisconsin had received.(1)

There continued to be but one clerk for each of the three districts in the territory until 1851, when the legislature provided that there should be a resident clerk in each organized county, who thus became a county officer. He was to be appointed by the judge of the district in which the county was situated; he was to make his actual residence at the county seat; and the appointment could be revoked at any time.(2)

Before entering upon his official duties the clerk was required to take an oath of office and execute a bond to the state. The bond, with the oath certified on the back of it, was filed in the office of the county treasurer.(3) The clerk, with the approval of the district judge, could appoint a deputy whose appointment and oath of office were to be filed in the office of the register of deeds.(4)

In 1856 the clerk of court was authorized to take acknowledgments of conveyances and to receive and deposit any papers or instruments which any person might offer for the purpose, upon payment of a fee as allowed by law.(5)

Under the state constitution, adopted in 1857 and put into effect May 11, 1858, the office of clerk of the district court was continued and was made elective. The term, which was fixed at four years, begins on the first Monday in January following the election.(6)

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(1) U. S. Statutes at Large, 9:406, sec. 9.
(2) Revised Statutes, 1851, 83, secs. 1, 2.
(3) Ibid., 1851, 83, sec. 3.
(4) Ibid., 1851, 83, 84, secs. 6-8.
(5) Laws, 1856, 19.
(6) Constitution of the State of Minnesota, art. 6, sec. 13; art. 7, sec. 9. (The state constitution may be found in the successive issues of the Legislative Manual of the State of Minnesota, and in the various volumes of the compiled statutes.)

The clerk of court is removable from office only by the governor, and a vacancy in the office is filled by appointment by the district judge, the appointee to serve until the next general election or until a successor qualifies.(7)

The laws of 1858 directed the clerk of the district court to take his oath of office before a justice of the peace or other person authorized to administer oaths. The oath, with the certificate of election, was filed in the office of the register of deeds. The judge and clerk of the district court were required to file, or cause to be filed, in the office of the supreme court, certified copies of their official bonds and oaths.(8) Legislation in 1874 required that the bonds be recorded in the office of the register of deeds who forwarded them to the secretary of state. The bond is now first approved by the county board and then filed for record in the office of the register of deeds, after which it is forwarded to the secretary of state, in whose office, after approval by the attorney general, it is finally filed. A copy of a bond so filed in the office of the secretary of state and certified by him under the seal of his office may be used as evidence in all courts in the state.(9)

The clerk of the district court must enter in the proper register all cases, civil and criminal. In the register of civil actions he enters the title of each action, whether originally commenced in his court or brought there by appeal or transcript of a judgment from justice court or from any court of record of the state or the United States, a minute of each paper filed in the case, and a record of all proceedings. He keeps a judgment book and a docket in which he must enter alphabetically the name of each judgment debtor, the amount of judgment, and the precise time of its entry.

A judgment by confession may be entered without action. The statement and the affidavit with the judgment endorsed on it becomes the judgment roll. Judgments may be entered in the district court in vacation or in term upon a plea of confession signed by an attorney of the court, although there is no action pending between the parties, provided that the authority for

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(7) Mason's Minnesota Statutes, 1927, 194, ch. 5, sec. 200.
(8) General Laws, 1858, 41, 147.
(9) Ibid., 1874, 233, amended, 1881, 138, sec. 4, amended, Laws, 1909, 106, ch. 115; General Statutes, 1923, 29, sec. 191, amended, Laws, 1925, 427, 428, ch. 337; Mason's, 1927, 44, secs. 191, 192. (For forms of official bonds of county officers, see Laws, 1909, 96, ch. 107.)

confessing the judgment is in some proper instrument distinct from that containing the bond, contract, or other evidence of demand for which judgment is confessed. The authority is filed with the clerk of the district court in the county where the judgment is filed.(10)

In the register of criminal actions the clerk enters all indictments found in the court or sent or removed to the court for trial, with the time of finding the indictment or when it was sent or removed, and the time of arraignment, of the demurrer or plea, and of the trial, conviction, or acquittal of the defendant, together with a brief note of all other proceedings in the action.(11)

The clerk is also directed by law to keep in separate books plaintiffs' and defendants' indexes to court records, in which all cases are entered in alphabetical order under the name of each plaintiff and defendant. In each county the clerk of court is required to prepare a calendar of cases to be tried at the general term of the district court.(12)

The laws of 1907 directed the clerk of court in counties having less than 50,000 inhabitants to index all cases on file prior to March 7, 1885. In 1917, in counties having over 45,000 but not over 50,000, the clerks were directed to transcribe all judgments docketed within the preceding ten years and that remain unsatisfied.(13)

The clerk of court issues marriage licenses and records all the facts pertaining to the marriage upon the return of the license by the officiating clergyman or other person authorized to perform marriages. In the clerk's office are also filed certified copies of the licenses or certificates of all clergymen in the county as well as of all physicians and surgeons, chiropractors, osteopaths, optometrists, and veterinarians. From 1885 to 1928 the licenses of dentists were also filed in this office.(14)

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(10) Revised Statutes, 1851, 83, 84, 421, 433; Mason's, 1927, 1726, 1868, sec. 9413.
(11) Mason's, 1927, sec. 10728.
(12) Laws, 1909, 423, ch. 369; Mason's, 1927, secs. 196, 2121.
(13) Laws, 1907, 420, 421; 1917, 23, 24.
(14) Mason's, 1927, secs. 8566, 5715, 5731; 5738, 5791; 1938 supplement, sec. 5851-9.

 (Next entry 229, p. 160)

Legislation in 1870 directed the clerks of townships, villages, and cities to register all facts concerning births and deaths in their communities and to transmit to the clerk of the district court, on or before the tenth of January each year, a certified copy of the list of births and deaths having occurred during the year ending on the last day of the previous December. The clerk of the district court was then required to report an abstract of registry of the births and deaths to the state commissioner of statistics, who was required to prepare and furnish blanks for the purpose and to facilitate the regular, prompt, and uniform performance of these duties. The blanks were sent to the clerk of court who distributed them to the clerks of the townships, villages, and cities.(15) The state commissioner of statistics, as compiler of vital statistics, was replaced by the state board of health created in 1872.(16) An act of the legislature in 1911 directed the clerk of court to index, in suitable books to be purchased by the county, all records of births and deaths in his office which had not been indexed. The forms of the indexes and indexing were prescribed by the secretary of the state board of health.(17)

Certified copies of awards under the employers' liability act (superseded by the workmen's compensation act in 1921) have been filed with the clerk of court since 1913 and records of examinations in the basic sciences since 1927.(18)

The coroner is directed to file with the clerk of the district court the testimony of witnesses at inquests and a record of all inquest proceedings. If the coroner does not deem an inquest necessary, he must file a certificate setting forth the facts of the case. The county attorney must enter in the register of criminal actions the titles of all criminal actions prosecuted by him or reported to him by any justice of the peace.(19) Oaths of persons appointed by or made responsible to a court in any action proceedings are filed with the clerk of court.(20)

The clerk of the district court, the auditor, and the chairman of the county board constitute the board of audit for the purpose of auditing the accounts, books, and vouchers of

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(15) General Laws, 1870, 44, sec. 7.
(16) General Laws, 1872, 64-66; Mason's, 1927, sec. 5348.
(17) Laws, 1911, 348.
(18) Laws, 1921, 122, sec. 58 (repeals ch. 467 of Laws, 1913), amended, 1923, 407, 408, sec. 11; 1927, 233, sec. 10.
(19) Mason's, 1927, 45, 163, 167.
(20) General Statutes, 1923, sec. 6969.

the treasurer and to count and ascertain the kind, description, and amount of funds in the treasury of the county. The clerk of court is clerk of the board.(21)

District courts, with chancery as well as common law jurisdiction, were authorized in Minnesota Territory by the organic act of March 3, 1849, which provided that the territory be divided into three judicial districts by the governor, who was to assign to each district one of the three justices of the territorial supreme court and appoint the times for holding court in the counties until otherwise provided by law. Court actions in Minnesota Territory pending in the Wisconsin courts were transferred to the Minnesota courts. Writs of error, bills of exception, and appeals were allowed in all cases from the final decisions of the district court to the supreme court under such regulations as might be prescribed by law. The district court was authorized to have and to exercise the same jurisdiction in all cases arising under the constitution and laws of the United States as was vested in the circuit and district courts of the United States. The first six days, or more if necessary, of every term of district court were to be appropriated to the trial of causes arising under the constitution and laws.(22)

The first Minnesota territorial legislature of 1849 established the district court in Minnesota on the same principle as had been prescribed by Congress in the organic act. As a court of record the district court had original jurisdiction when the sum exceeded one hundred dollars and appellate when over fifteen dollars and in all cases of crimes or misdemeanors within the district. The district judge was the conservator of the peace within the judicial district and was authorized to hold adjourned terms of court or appoint special terms in any county of his district for trial of civil or criminal cases. The justices and constables were conservators of the peace for the county.(23)

Under the laws of 1849 the district court as a court of chancery had exclusive original jurisdiction in all matters in chancery in which an adequate and complete remedy could not

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(21) General Laws, 1873, 157; Laws, 1909, 25, ch. 22. See also historical introduction under board of audit.
(22) U. S. Statutes at Large, 9:403-409, secs. 9, 15, 19. (The organic act may also be found in the successive volumes of the Legislative Manual of the State of Minnesota and in the various issues of the compiled statutes.)
(23) Laws, 1849, 9, ch. 5, secs. 16-21; 56, ch. 20, sec. 10.

otherwise be had at law. The proceedings of this court, where they were not regulated by statutes, were prescribed by the judge, but were, nevertheless, in all matters of practice required to conform to usages of courts of equity. Sales of real estate under the decree of the court of chancery were made by the sheriff or by a person named by the court. The court of chancery and all laws pertaining to it were abolished in Minnesota in 1853 and all such cases were transferred to civil actions. The distinction of a court of chancery and a court of equity does not now exist in the United States since the statutes provide that there shall be one form of action for enforcement of protection of private rights and the redress of private wrongs, which shall be called a civil action.(24)

The state constitution gives to district courts original jurisdiction in all civil cases, both in law and equity, where the amount in controversy exceeds one hundred dollars and in all criminal cases where the punishment exceeds three months imprisonment or a fine of more than one hundred dollars and such appellate jurisdiction as may be prescribed by law. Civil rights under territorial government were secured in the change to state government, and all actions at law and suits in equity pending in any of the courts of the Territory of Minnesota were permitted to be continued and transferred to any court of the state which had jurisdiction of the subject matter of the action or suit.(25)

The several district courts of the state are in a sense one court of general jurisdiction, coextensive with the boundaries of the state. This one general court is divided into districts for convenience. Scott County was included in the third judicial district in 1854,(26) in the fifth in 1858,(27) and since 1870 has been in the eighth district with the counties of Le Sueur, Sibley, Carver, and McLeod.(28) The general term of court is held in Scott County the fourth Monday in March and the fourth Monday in October. There is one judge on the bench of the eighth district.(29) The term is six years(30) and elections

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(24) Laws, 1849, 59, 62, 63, ch. 20, secs. 1, 3, 37, 39; 1853, 4, 5, secs. 12, 14; Judicial and Statutory Definitions of Words and Phrases (West Publishing Company, St. Paul, 1904), 2:1051, 1685.
(25) Constitution of the State of Minnesota, art. 6, sec. 5; schedule, sec. 4.
(26) Laws, 1854, 175, ch. 53.
(27) General Laws, 1858, 156, 157.
(28) Ibid., 1870, 149, ch. 81.
(29) Laws, 1937, 892.
(30) Constitution of the State of Minnesota, art. 6, sec. 4.

are held in the years 1928, 1934, 1940, 1946, et cetera.(31) The local officers when the court is sitting in Scott County are clerk of court, county attorney, and sheriff, and their deputies.

Applications for citizenship are heard and acted upon by the district court, and the naturalization records are filed with the clerk. The authority to admit citizens under naturalization has been conferred upon state courts since 1790. At that time an alien, if a free white person having resided within the limits and under the jurisdiction of the United States for two years, could be admitted to become a citizen by making an application to any common law court of record in any of the states where he had resided for at least one year. He was required to make a satisfactory proof of his character to the court and to take an oath of affirmation to support the constitution of the United States. The clerk of court was directed to record such application and the proceedings thereon.(32)

The act of 1790 was amended in 1795 and repealed by an act passed on April 14, 1802. This last act required a residence of three years in the state and at least five years in the United States before admission, and the renouncement of any title and allegiance to foreign rulers. All proceedings were to be recorded by the clerk of court, and any person arriving after the passage of the act, in order to become a citizen, had to make a report, giving name, birthplace, age, nationality, country emigrated from, and place where he intended to settle. Then the clerk of court granted a certificate of report and registry, and this certificate was exhibited to the court, on application to be naturalized, as evidence of the time of arrival. This act was supplemented by acts passed in 1804, 1813, 1824, 1828, and 1882.(33)

In 1906 the Bureau of Immigration and Naturalization (since 1933 known as the Immigration and Naturalization Service) was organized, and a uniform rule for naturalization of aliens was established. Petitions for naturalization may be made and filed during term or vacation of the court and are to be docketed the same day as filed, but final action may not be had except on stated days which are fixed by rule of the court, and in no case may any final action be had upon a petition until at least

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(31) Legislative Manual, 1937, 80.
(32) U. S. Statutes at Large, 1:103, 104, ch. 3.
(33) Ibid., 1:414, 415, ch. 20; 2:153-155, ch. 28; 292, 293, ch. 47; 3:53, ch. 36; 4:69, ch. 186; 5:310, 311, ch. 116.

ninety days after the filing and posting of the petition and not within thirty days preceding an election.

The clerk of court receives blank forms from the naturalization office and is responsible for each blank. A declaration of intention, showing the name, age, occupation, personal description, place of birth, last foreign residence, date of arrival, name of vessel, and present place of residence in the United States must be filed in the office of the clerk of the district court. The person must make and file in duplicate a petition in writing not less than two nor more than seven years after filing a declaration of intention, and if the person arrived in the country after June 29, 1906, he must also file a certificate of arrival.

As soon as a petition is filed the clerk must give notice by posting the notice in a public place. He also issues subpoenas for witnesses. Every final hearing upon petition for naturalization must be held in open court before a judge or judges, and every final order shall be under hand and seal of the court and entered in full upon a record kept for that purpose. It is the duty of the clerk of each and every court exercising jurisdiction in naturalization matters to keep a duplicate of each declaration of intention, to send to the naturalization office, within thirty days after the issuance of a certificate of citizenship, a duplicate of such certificate, and to make and keep on file in his office a stub for each certificate so issued by him and a memorandum of all facts.(34)

Under the Torrens system of land registration, which was authorized in Minnesota in 1901 for counties with a population of 75,000 and over, and extended to all counties in 1909, owners of lands, or persons with the power to dispose of land, may make an application and file it with the clerk of the district court. An abstract of title extended to date is also filed with the application. The judges of the district court appoint a title examiner who conducts a thorough examination and an inspection of the property. After the examination the clerk of court issues summonses for any hearings necessary and the matter is then published for a given length of time. If then the court finds that the applicant has title, it enters an order for registration. The clerk of court sends a certified copy of the decree or order to the office of the register of deeds, who is registrar of titles, and he issues a certificate of title.(35)

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(34) U. S. Statutes at Large, 34:596-599.
(35) Laws, 1901, 348-378; 1905, 454-489, amended, 1909, 205, 206. (For further details of Torrens titles see historical introduction under the register of deeds.)

The first clerk of the district court for Scott County was E. A. Greenleaf, who was appointed in the summer of 1853.

The records of the clerk of court are open to inspection upon demand of any citizen or group of citizens.(36) These records are kept in the office and office vault on the first floor of the courthouse and in the basement and dungeon vaults.

Indexes

229. PLAINTIFFS' INDEX, 1853--. 3 vols. (A-C). Serves Cases, entry 233, Civil and Criminal Actions, entry 234, Register of Actions, entry 236, showing date, names of plaintiff and defendant, kind of action, term commenced, term disposed of, where recorded in court minutes, judgment docket, register of actions, and fee book, remarks, and case number. Arr. alph. by name of plaintiff. Handwritten under pr. heads. 650 pp. 18 x 12 x 3½. Off. va.

230. DEFENDANTS' INDEX, 1853--. 3 vols. (A-C). Serves Cases, entry 233, Civil and Criminal Actions, entry 234, Register of Actions, entry 236, and Record of Criminal Actions, entry 237, showing names of defendant and plaintiff, kind of action, term commenced and disposed of, where recorded in court minutes, judgment docket, register of actions, and fee book, remarks, and case number. Arr. alph. by name of defendant. Handwritten under pr. heads. 650 pp. 18 x 12 x 3½. Off. va.

Minutes
(See also entry 305.)

231. COURT MINUTES, 1853--. 10 vols. (one unlettered; B-J). Title varies: Records, 1853-70. Minutes of proceedings of civil and criminal cases, showing date, case number, names of plaintiff, defendant, witnesses, attorneys, and jurors, and disposition. Arr. chron. by date of entry. No index. Handwritten. 300 to 470 pp. 16 x 11 x 2 to 18 x 12 x 2. Off. va.

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(36) General Laws, 1887, 135; 84 Minnesota Reports, 439.

Calendars

232. COURT CALENDAR, 1873--. 9 vols. (A-H1, H2).
Schedule of cases set for trial, showing term, calendar number, case number, names of plaintiff and defendant, names of attorneys, issue, date of issue, and date set for trial. Arr. chron. by court term, num. by calendar no. thereunder. Indexed alph. by names of plaintiffs. Handwritten on pr. fm. 300 pp. 15 x 11 x 2. Off. va.

Cases

233. CASES, 1853--. 163 file drawers (labeled by inclusive case nos.).
Original papers filed for civil, criminal, and coroner's cases, including justice of peace certificates, summonses, answers, affidavits, demurrers, stipulations, change of venire, note of issue, verdict, information, grand jury certificates, commitment papers, jury lists, transcripts of testimony, and all other papers relating to cases. Arr. num. by case no. For indexes see entries 229, 230. Handwritten and typed on pr. fm. 10½ x 5 x 14 to 9½ x 15 x 27. 1853-94, bsmt. va.; 1895--, off. va.

234. CIVIL AND CRIMINAL ACTIONS, 1853-84. 1 vol. Discontinued.
Register of instruments filed in civil and criminal cases, showing names of plaintiff and defendant, kind of action, list of instruments, and dates filed. Arr. chron. by date of entry. For indexes see entries 229, 230. Handwritten. 320 pp. 13½ x 8½ x 1¼. Bsmt. va.
For subsequent and related records see entries 236, 237, 328.

235. ATTACHMENT INDEX, 1869-1904. 1 vol. (1).
Register of attachment papers to be served by sheriff, showing date of reception, names of plaintiff and defendant, to what court returnable, amount of claim, and general remarks. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 300 pp. 18 x 12 x 2. Dungeon va.

236. REGISTER OF ACTIONS, 1861--. 17 vols. (one unlettered; A-P).
Record of instruments filed in connection with civil court cases, showing names of plaintiff and defendant, case number, date of issue, names of attorneys, list of instruments, and dates of filing. Arr. num. by case no. Indexed alph. by names of

plaintiffs; for separate indexes see entries 229, 230. Handwritten under pr. heads. 159 to 625 pp. 14½ x 9½ x 1½ to 15 x 11 x 2. Off. va.
For prior records see entry 234.

237. RECORD OF CRIMINAL ACTIONS, 1885--. 2 vols. (F, G).
Register of instruments filed in connection with criminal cases, showing register number, name of defendant, names of attorneys, offense, date arraigned, date information filed, date of plea, date of sentence, date judgment entered, and date of filing transcript. Arr. chron. by date of entry. Indexed alph. by names of defendants; for separate index see entry 229. Handwritten under pr. heads. 400 pp. 16 x 12 x 2. Off. va.
For prior and related records see entries 234, 328.

238. INFORMATION RECORD, 1923--. 1 vol. (1).
Record of information furnished by county attorney relative to criminal cases, showing case number, name of defendant, date, offense, synopsis of information, signatures of county attorney and clerk, and date recorded. Arr. chron. by date of entry. Indexed alph. by names of defendants. Handwritten under pr. heads. 275 pp. 15 x 11 x 2. Off. va.

239. INDICTMENT RECORD, 1881--. 2 vols. (one unlettered; B). Last entry January 15, 1935.
Record of indictments drawn by grand jury, showing date, name of defendant, date of crime, offense charged, date of hearing, names of witnesses, synopsis of findings, and signature of foreman. Arr. chron. by date of entry. Indexed alph. by names of defendants. Handwritten. 115 pp. 14¼ x 9 x 1½. Off. va.

Judgments

240. RECORDS, 1853-62. 1 vol.
Record of judgments issued by court, showing date, case number, names of defendant and plaintiff, name of attorney for defendant, and disposition of case. Arr. chron. by date of entry. Indexed alph. by names of defendants. Handwritten. Condition of binding fair. 478 pp. 15 x 11 x 2. Off. va.

241. JUDGMENT DOCKET, 1853--. 5 vols. (two unlettered; B-D).
Register of judgments entered in district court, showing names of judgment debtor and judgment creditor, court, date of judgment, date of docketing, damages, costs, and amount of judgment,

date execution issued, date returned, amount satisfied, register number, names of attorneys, and date discharged. 1853-74, arr. chron. by date of entry; 1875--, arr. alph. by name of judgment debtor. 1853-59, 1875--, no index; for index, 1860-74, see entry 243. Handwritten under pr. heads. 1853-74, condition poor. 303 to 625 pp. 17½ x 12 x 2½ to 15 x 11 x 3. 2 vols., 1853-74, bsmt. va.; 3 vols., 1875--, off. va.

242. JUDGMENT BOOK, 1858--. 10 vols. (one unlettered; B-J). Title varies: Records Judgment, 1858-74. Record of judgments entered in district court, showing case number, date, names of plaintiff and defendant, amount of damages, amount of costs, total judgment, date recorded, and signature of clerk. Arr. chron. by date of judgment. Indexed alph. by names of defendants. Handwritten. 630 pp. 15 x 11 x 3. Off. va.

243. INDEX TO JUDGMENT DOCKET, 1860-74. 1 vol. Serves Judgment Docket, entry 241, showing names of judgment debtor and judgment creditor, case number, and where recorded. Arr. alph. by name of judgment debtor. Handwritten. 26 pp. 16 x 11 x ½. Dungeon va.

Tax Judgments
(See also entries 74-86.)

244. TAX JUDGMENT RECORD, 1873--. 11 vols. (two unlettered; B-J). Record of proceedings to enforce payment of delinquent real estate taxes, showing name of township, city, or village, name of owner, description of tract, years delinquent, amount of original tax for each year, total amount of taxes and penalty, amount of fees, amount of judgment, date, and signature and seal of clerk of court. Arr. alph. by name of twp. or village, num. by section no. or alph. by addition thereunder. No index. Handwritten under pr. heads. 240 pp. 17½ x 12½ x 2. Off. va.

245. REAL ESTATE TAX JUDGMENT ROLL, 1873--. 50 vols. (dated). Auditor's list of real property upon which taxes are delinquent, showing name of township, village, or city, name of owner, legal description of property, years for which taxes became delinquent, total tax, penalties, remarks, certification of auditor, date judgment is to be entered, and signature of clerk. Arr. alph. by name of twp. village, or city. No index. Handwritten on pr. fm. 1873-92, condition of binding fair. 75 pp.

14½ x 18 x ¼. 23 vols., 1873-92, 1908-26, bsmt. va.; 16 vols., 1891-1907, dungeon va.; 11 vols., 1927--, off. va.

246. FORFEITED REAL ESTATE TAX JUDGMENT BOOK, 1879-1914. 1 vol.
Record of decrees issued to enforce the payment of taxes on forfeited real estate, showing name of township or village, name of owner, years delinquent, description of property, amount of tax, penalty, and costs, and amount of judgment. Arr. alph. by name of twp. or village. No index. Handwritten. 100 pp. 17 x 13½ x ¼. Off. va.

247. TAX JUDGMENT CERTIFICATE, 1923--. 1 file drawer.
Sheriff's certificates of service of tax warrants, showing date, name of taxpayer, address, date of service, by whom served, and signature of sheriff. Arr. chron. by date filed. No index. Handwritten on pr. fm. 4½ x 10½ x 14. Off.

248. TAX CERTIFICATES, FORFEITED SALE, 1887-1900. 1 file drawer.
Newspaper notices of tax judgment sale; forfeited property tax lists; delinquent taxes and sheriff's papers served on landowner, returned and filed by sheriff. Arr. by years. No index. Printed, and handwritten and typed on pr. fm. 10½ x 5 x 14. Bsmt. va.

249. TAX AND SALE PAPERS, 1876-1910. 26 file drawers.
Newspaper public announcement containing a list of the parcels of land in the county to be sold for default of taxes, showing name of local unit, and under each local unit name of owner, location of property, amount of assessment due, and penalty. Arr. by years. No index. Printed. Condition fair. 10½ x 5 x 14. Dungeon va.

250. DELINQUENT CONFESSION OF JUDGMENT, 1936--. 1 vol.
Original copies of confessions of judgment and contracts for the payment of delinquent taxes in installments, showing name of owner, description of property, date of agreement for redemption by installment payments, amount of judgment, receipt for first payment, signature of owner, certification of auditor, and signature of clerk of court. Arr. chron. by date of judgment. No index. Handwritten and typed on pr. fm. Approx. 150 loose-leaf pp. 11¼ x 15 x 1. Off.

251. PERSONAL PROPERTY TAX JUDGMENT ROLL, 1931--. 1 vol. (A).
List of personal property tax judgments in district court, showing name and address of owner, date of judgment, amount of

judgment, date filed, and signature of clerk. Arr. chron. by date of judgment. No index. Handwritten on pr. fm. 160 pp. 16 x 10¼ x 1. Off. va.

252. TAX WARRANTS, 1854--. 82 file drawers.
Tax warrants issued to enforce payment of delinquent personal property taxes, showing warrant number, date, to whom issued, amount of delinquent tax, costs, date served by sheriff, and certification of service by sheriff. Arr. by years, num. by warrant no. thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. 1854-1932, bsmt. va.; 1933--, off. va.
For related records see entries 73, 295, 327.

Jurors and Witnesses
(See also entry 19.)

253. LIST OF JURORS, 1859-63. 1 vol.
Record of certificates of service issued and list of jurors and witnesses, showing term of court, certificate number, name of juror or witness, excused, served, or not in county, days served, mileage, and amount. Arr. by court term, num. by certificate no. thereunder. No index. Handwritten on pr. fm. Condition poor. 75 pp. 13 x 8 x ¼. Dungeon va.
For related records see entry 294.

254. JURY LIST, VENIRE FACIAS, 1854--. 10 file drawers.
List of persons drawn for jury duty, and subpoenas served on jurors to appear at a specific time, showing date, name, address, and time and place to appear. Arr. by years, chron. by date of list or subpoena thereunder. No index. Handwritten on pr. fm. 10½ x 5 x 14. 1854-1932, bsmt. va.; 1933--, off. va.
For related records see entry 294.

255. WITNESS AND JUROR CERTIFICATES, 1873--. 11 vols., 1 pkg. Title varies: Jurors' Certificates, 1 vol., 1877-81; Clerk's Certificates, 1 vol., 1881-83.
Stub record of certificates issued to jurors and witnesses, showing number, date, to whom issued, miles traveled, days served, amount, signature of witness or juror, and signature of clerk. Arr. num. by certificate no. No index. Handwritten on pr. fm. Vols., 200 pp. 16 x 14 x 1 to 13½ x 13 x 1¼; pkg., 11 x 12 x 7. Off. va.

256. SUBPOENAS, 1881--. 24 vols. Title varies: Witness Subpoenas, 5 vols., 1902-26.
Carbon copies and stub record of subpoenas issued by district court for civil and criminal cases, showing number, to whom

issued, date, time to appear, when delivered, case number, names of plaintiff and defendant, and sheriff's fees. Arr. num. by subpoena no. No index. Handwritten on pr. fm. 13 vols., 1881-1917, condition of binding fair. 125 to 250 pp. 16½ x 11 x ½ to 14½ x 11 x 1. 21 vols., 1881-1918, bsmt. va.; 3 vols., 1918--, off. va.
For prior and related records see entry 295.

257. GRAND JURY SUBPOENAS, 1904--. 3 vols.
Duplicate copies of subpoenas issued to witnesses to appear before grand jury, showing number, to whom issued, time and place to appear, names of plaintiff and defendant, when issued, when delivered, and signature of clerk of court. Arr. num. by subpoena no. No index. Handwritten on pr. fm. Condition of binding fair. 125 pp. 6 x 16 x 1 to 6½ x 19 x 1. 2 vols., 1904-28, bsmt. va.; 1 vol., 1929--, off. va.
For prior and related records see entry 295.

258. SUBPOENA TRIPLICATES, 1914--. 1 file drawer.
Triplicate copies of subpoenas issued to witnesses to appear before grand jury, showing number, date, to whom issued, time to appear, names of plaintiff and defendant, and when delivered. Arr. num. by subpoena no. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Off.
For prior and related records see entry 295.

Coroner's Cases
(See also entries 320, 321.)

259. REGISTER OF CORONER'S INQUESTS, 1887--. 1 vol. (A).
Registration of coroner's inquest certificates, showing date of each inquest, case number, name of deceased, name of officer holding inquest, list of papers filed, and dates of filing. Arr. chron. by date of entry. No index. Handwritten on pr. fm. 179 pp. 15 x 11 x 1½. Off. va.

Justice Court Cases

260. JUSTICE DOCKETS, 1854--. 9 vols.
Register of justice of peace cases, showing date, names of plaintiff and defendant, cause for trial, disposition, and remarks. Arr. chron. by date of entry. Indexed alph. by names of plaintiffs. Handwritten under pr. heads. 450 pp. 16 x 11½ x 2. Off. va.

Land Registration
(See also entries 190-196.)

261. LAND REGISTRATION DOCKET, 1913--. 1 vol. (1).
Record of papers filed to secure registered titles to land under the Torrens system, showing name of applicant, attorney for applicant, description of property, name of defendant, case number, list of papers filed, and date. Arr. num. by case no. Indexed alph. by names of defendants. Handwritten under pr. heads. 160 pp. 16 x 11 x 1½. Off. va.

262. RECORD OF DECREES, REGISTRATION OF TITLES, 1913--. 1 vol. (1).
Record of decrees for land registration issued by judge of district court, showing case number, description and location of property, name of applicant, date, substance of decree, date of decree, signature of judge, date filed and recorded, and signature of clerk. Arr. num. by case no. Indexed alph. by names of applicants. Handwritten on pr. fm. 160 pp. 12 x 18 x 2. Off. va.
For prior records see entries 184, 195.

263. TORRENS, 1913--. 2 file drawers (labeled by inclusive file nos.).
Original papers filed relative to land registration; includes applications, abstracts, summonses issued to defendants, orders, and decrees. Arr. num. by file no. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Off. va.

Naturalization

264. DECLARATION OF INTENTION, NATURALIZATION, 1853-94, 1907--. 6 vols. (three unlettered; A, B, D).
Title varies: Record, 1853-58; Citizenship, 1880-92.
Record of declarations of intention to become citizens, showing declaration number, date, name of declarant, age, occupation, physical description, place of birth, date, present residence, place of emigration, name of vessel, port of arrival, oath, signature of declarant, and seal and signature of clerk of court. Arr. num. by declaration no. Indexed alph. by names of declarants. Handwritten on pr. fm. 100 to 465 pp. 14 x 8½ x ½ to 18 x 12 x 2. Off. va.

265. PETITION AND RECORD, 1859--. 7 vols. (two unlettered; B, C, C, A, B). Title varies: Naturalization Record, Minors, 2 vols., 1893-1906; Naturalization Record, Final, 2 vols., 1859-1906.
Original petition for naturalization, showing number, name of petitioner, residence, occupation, date and place of birth, date and port of arrival in United States, name of wife, names

of children, oath of allegiance, signature of petitioner and date signed, affidavit of petitioner and witnesses, signatures of witnesses, seal and signature of clerk of court and date, order of court admitting or denying petitioner, signature of judge, date signed, and number of certificate of naturalization. Arr. num. by petition no. Indexed alph. by names of petitioners. Handwritten on pr. fm. 149 to 582 pp. 17½ x 11 x ½ to 18 x 12 x 2¼. Off. va.

266. CERTIFICATES OF NATURALIZATION, 1907--. 5 vols. (labeled by inclusive certificate nos.).
Stub record of certificates of naturalization issued by the clerk of court, showing certificate number, name of naturalized citizen, age, place of birth, residence, from what country emigrated, name of ship, and date of arrival. Arr. num. by certificate no. No index. Handwritten on pr. fm. 25 pp. 10 x 14 x ½ to 10 x 15 x ½. 3 vols., 1907-25, bsmt. va.; 2 vols., 1925--, off. va.

267. NATURALIZATION PAPERS, 1856-70. 1 cardboard box.
Naturalization papers, including petitions for citizenship and sworn statements of allegiance to United States, showing name of immigrant, date of entry, country of origin, age, and color. Arr. chron. by date of paper. No index. Handwritten on pr. fm. Condition fair. 16 x 14 x 5. Dungeon va.

Vital Statistics

Births and Deaths

268. REGISTER OF BIRTHS, 1871--. 6 vols. (A-F).
Registration of births, showing name of township or village, name of child, sex, date of birth, number of child to this mother; name of father, age, color, birthplace, and occupation; maiden name of mother, age, color, birthplace, and occupation; name of physician, date of report, name of registrar, and date filed. Vols. A, B, arr. chron. by date of filing; vols. C-E, arr. alph. by name of child; vol. F, arr. alph. by name of twp. or village, chron. by date of filing thereunder. Handwritten and handwritten on pr. fm. 400 pp. 17 x 14 x 2. Off. va.

269. INDEX TO BIRTHS, 1871--. 1 vol. (A).
Guide to birth records, showing name of child, date of birth, book, page, and line where recorded, and remarks. Arr. alph. by surname of child. Handwritten under pr. heads. 450 pp. 17 x 14 x 2. Off. va.

270. REGISTER OF DEATHS, 1871--. 6 vols. (A-F).
Registration of deaths, showing name of township, village, or city, name of decedent, sex, color, conjugal condition, date of birth, date of death, age, occupation, cause of death, duration of illness, names and birthplaces of father and mother, name of undertaker, name of attending physician, name of registrar, and date filed. Vols. A, B, arr. chron. by date of filing; vols. C-E, arr. alph. by name of decedent; vol. F, arr. alph. by name of twp., village, or city, chron. by date of filing thereunder. Handwritten on pr. fm. 300 pp. 17 x 16 x 2. Off. va.

271. INDEX TO DEATHS, 1871--. 1 vol. (1).
Guide to death records, showing name of decedent, date of death, where recorded, and remarks. Arr. alph. by name of decedent. Handwritten under pr. heads. 500 pp. 16 x 12 x 2½. Off. va.

272. BIRTHS AND DEATHS, 1878-1908. 9 file drawers.
Returns of births and deaths in townships and villages of Scott County; death returns show name of township or village, name of decedent, sex, color, single, married, year, place of birth, physician's name and address; birth returns show name of township or village, name of child, parents' full names, addresses, name of attending physician, and date filed. Arr. alph. by twps. and villages, chron. by date of report thereunder. No index. Handwritten on pr. fm. 5 x 10 x 14. Bsmt. va.
For related records see entry 9.

273. BIRTH AND DEATH CERTIFICATES, 1883--. 5 vols. (labeled by inclusive certificate nos.). Title varies: Clerks' Certificates, Births and Deaths, 5 vols., 1883-1927.
Stub record of certificates issued to township and village clerks upon receipt of birth and death reports, showing certificate number, date, name of clerk, number of births reported, number of deaths reported, total number reported, and amount of fees due clerk. Arr. num. by certificate no. No index. Handwritten on pr. fm. 1883-1927, condition of binding fair. 200 pp. 7½ x 12 x ½ to 10 x 12 x 1½. 4 vols., 1883-1927, bsmt. va.; 1 vol., 1927--, off. va.

Marriages

274. MARRIAGE LICENSE RECORDS, 1856--. 15 vols. (A-O). Title varies: Marriage Certificates and Credentials of Ordination, vol. A.
Record of marriages, including application for license, marriage license, and certificate of marriage, showing names, ages, and residences of contracting parties, date, signatures of applicants,

date of marriage, signatures of witnesses and clergyman or person officiating, date filed, and signature of clerk; vol. A also contains credentials of ordination, 1856--. Arr. chron. by date of entry. 1856-57, and Credentials of Ordination, no index; for index, 1858--, see entry 275. Handwritten and handwritten on pr. fm. 580 pp. 15 x 11 x 3. Off. va.

275. (INDEX TO MARRIAGE RECORDS), 1858--. 1 vol.
Guide to marriage license records, showing lists of marriage licenses with names of contracting parties, addresses, ages, date of license, date of return, and where recorded. First half arr. alph. by name of groom; second half, alph. by name of bride. Handwritten under pr. heads. 580 pp. 15 x 11 x 3. Off. va.

276. MARRIAGE RETURNS, 1855--. 1 file box, 2 vols., 7 file drawers. Title varies: Marriage License Certificates, 5 drawers, 1867-1917; Marriage Certificates, 2 vols., 1925-26, 1929.
Certificates returned to clerk of court by pastors, priests, and others who perform marriages, showing names of parties married, addresses, name of person officiating, date and place of marriage, date of return, and signatures of witnesses. Arr. chron. by date of return. No index. Handwritten on pr. fm. Box, 18 x 12 x 8; vols., 75 pp., 7 x 8¼ x ½; file drawers, 5 x 10 x 14. File box, 1855-73, dungeon va.; 5 file drawers, 2 vols., 1867-1917, 1925-26, 1929, bsmt. va.; 2 file drawers, 1918--, off. va.

Professional Register

277. NOTARIES PUBLIC, 1866--. 2 vols. (A, B).
Copies of commissions granted by governor of Minnesota to perform the duties of notary public, showing name of appointee, date and term of appointment, signatures of the governor and secretary of state, and date recorded. Arr. chron. by date of recording. Indexed alph. by names of appointees. Handwritten. 200 pp. 16 x 11 x 1¼. Off. va.

278. CERTIFICATES OF REGISTRATION IN THE BASIC SCIENCES, 1927--. 1 vol.
Copies of certificates of registration in the basic sciences issued by state board of examiners, showing certificate number, to whom issued, date issued, signatures of secretary and president of state board, date filed, and signature of clerk. Arr. chron. by date of recording. Indexed alph. by names of practitioners. Handwritten on pr. fm. 50 pp. (11 pp. used) 16 x 9 x ¼. Off. va.

279. REGISTERED PHYSICIANS' CERTIFICATES, 1911--. 2 vols. (A, B).
Copies in full of certificates issued by state board of examiners to persons qualified to practice medicine and surgery in state of Minnesota, showing number, to whom issued, date, signatures of president and secretary of state board, date filed for record, and signature of clerk. Arr. chron. by date of recording. Indexed alph. by names of physicians. Handwritten on pr. fm. 150 to 160 pp. 14 x 9½ x 1 to 14 x 8 x 1½. Off. va.

280. RECORD OF PHYSICIANS' CERTIFICATES, 1883-1914. 1 vol. (A).
Registration of physicians' certificates issued by state board of examiners, showing certificate number, series, name of physician, kind of diploma, date of diploma, date certificate issued, date recorded, and remarks. Arr. alph. by name of physician. No index. Handwritten under pr. heads. 200 pp. 12 x 9 x 1. Off. va.

281. DENTAL RECORD, 1889--. 1 vol. (A). Last entry 1927.
Copies of licenses issued by the state board of dental examiners to qualified persons to practice dentistry, showing number, name of dentist, address, term, signatures of state board of examiners, date recorded, and signature of clerk. Arr. chron. by date of recording. Indexed alph. by names of dentists. Handwritten on pr. fm. 75 pp. 16 x 9 x ½. Off. va.

282. DENTAL REGISTER, 1895-1918. 1 vol.
Register of dentists and dental surgeons, showing name, sex, whether dentist, dental surgeon, or both, date of filing certificate, date of diploma, name and location of school, and remarks. Arr. chron. by date of recording. Indexed alph. by names of dentists. Handwritten. 55 pp. 14¼ x 9 x ½. Bsmt. va.

283. CHIROPRACTIC LICENSE RECORDS, 1919--. 1 vol. (A). Last entry 1926.
Copies of licenses issued to chiropractors in Scott County by state board of examiners, showing license number, to whom issued, date, signatures of state board, date recorded, and signature of clerk of court. Arr. chron. by date of recording. No index. Handwritten on pr. fm. 50 pp. (7 pp. used) 14 x 9 x ¼. Off. va.

284. RECORD OF MASSAGE LICENSES, 1927--. 1 vol. (1).
Copies of licenses issued by state board of examiners, showing name of licensee, address, date, license number, signatures of

president and secretary of board, date filed for record, and signature of clerk. Arr. chron. by date of recording. Indexed alph. by names of licensees. Handwritten on pr. fm. 75 pp. 14 x 9 x ½. Off. va.

285. RECORD OF OPTOMETRISTS' CERTIFICATES, 1909--. 1 vol. (A).
Copies of optometrists' certificates issued in Scott County by state board of optometry, showing certificate number, to whom issued, signatures of state board, date filed for record, and signature of clerk. Arr. chron. by date of recording. No index. Handwritten on pr. fm. 100 pp. (6 pp. used) 16 x 10½ x ½. Off. va.

286. OSTEOPATHY RECORD, 1910--. 1 vol. (A). Last entry 1924.
Registration of persons licensed to practice osteopathy, showing register number, name, address, date, seal and signatures of state board of examiners, date filed for record, and signature of clerk. Arr. chron. by date of recording. Indexed alph. by names of osteopaths. Handwritten on pr. fm. 80 pp. (3 pp. used) 16 x 10½ x ½. Off. va.

287. RECORD OF VETERINARY CERTIFICATES, 1893--. 1 vol. Last entry April 29, 1936.
Copies of licenses issued by the state veterinary examining board to persons in Scott County qualified to practice veterinary medicine, showing name, date, length of time for which license was issued, college or university attended, date of diploma, signatures of state board, date filed for record, and signature of clerk. Arr. chron. by date of recording. Indexed alph. by names of veterinarians. Handwritten on pr. fm. 75 pp. 15½ x 9 x ¼. Off. va.

Business Names

288. BUSINESS NAME CERTIFICATES, 1911--. 1 file drawer.
Certificates of firms using trade names filed for record, showing date, name of firm, names of owners, kind of business, location, signatures of owners, date filed, and signature of clerk of court. Arr. chron. by date of filing. Handwritten and typed on pr. fm. 10½ x 5 x 14. Off. va.

289. INDEX TO BUSINESS NAMES, 1911--. 1 vol.
Guide to business name certificates filed for record, showing file number, firm name, location, names of members of firm,

and remarks. Arr. alph. by name of firm. Handwritten under pr. heads. 225 pp. 18 x 12 x 2. Off. va.

Bonds and Oaths
(See also entries 153-163.)

290. OATHS AND BONDS, 1853--. 5 file drawers. Title varies: Certificates of Oaths of All County Officers, 1853-1917.
Certified copies of bonds and oaths for justices of peace in townships and villages, and register of deeds, showing date, name of officer, title, address, amount of bond, date of oath, date of acceptance, signatures of principal, witnesses, and surety, date filed, and signature of clerk of court. Arr. by years, alph. by name of officer thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. 4 drawers, 1853-1917, bsmt. va.; 1 drawer, 1917--, off. va.
For related records see entry 220.

291. BOND RECORD, 1874--. 2 vols. (A, A). Title varies: Record of Bonds and Oaths, 1874-1907.
Record of bonds and oaths of justice of peace and register of deeds, showing date, name of officer, name of office, residence, elected or appointed, term, oath taken before whom, date filed, date bond approved, names of sureties, amount, and remarks. Arr. by years, chron. by date of recording thereunder. No index. Handwritten. 239 to 398 pp. 18 x 12 x 2. Off. va.

292. TOWNSHIP OFFICERS' BONDS, 1930--. 1 vol.
Register of township officers' bonds, showing name of township, name and address of officer, name of office, date elected, term, amount of bond, and names of sureties. Arr. by terms, alph. by name of twp. thereunder. No index. Typed. 50 loose-leaf pp. 9½ x 12½ x ½. Off. va.

293. RECORD OF SURETIES, 1929--. 1 vol.
Register of bonds accepted in criminal cases, showing case number, name of surety, address, name of principal, nature of obligation, amount of bond, date and place of filing, and remarks or disposition. Arr. alph. by name of surety. No index. Handwritten under pr. heads. 160 pp. 18 x 12 x 2. Off. va.

Miscellany

294. PAPERS, COURT TERM, 1877-1929. 10 file drawers. Venire folios, list of persons selected for jury duty, petitions and statements for naturalization of minors, declaration papers for adult aliens seeking naturalization, and papers relating to cases. Arr. by years. No index. Handwritten on pr. fm. 10 x 5 x 14. Bsmt. va.

For related records see entries 19, 253, 254.

295. OLD PAPERS, PERSONAL PROPERTY TAX WARRANTS, 1874-1918. 1 file drawer. Discontinued. Personal property tax warrants, district court subpoenas, certificates of correction, justice court certificates, recognizances of bonds and contracts. Arr. by years, chron. by date of paper thereunder. No index. Handwritten. 10 x 5 x 14. Bsmt. va.

For subsequent and related records see entries 252, 256-258.

296. SETTLEMENT RECEIPTS AND BANK PROPOSALS, 1914--. 1 file drawer. Original papers filed relative to workmen's compensation; also includes bank proposals. Arr. by subject, chron. by date of paper thereunder. No index. Handwritten and typed on pr. fm. 10½ x 5 x 14. Off.

297. ORDER FOR HIRING PROBATE CLERK, 1910--. 1 file drawer. Copy of order summoning probate clerk for duty, showing name of clerk, address, date, by whom summoned, and length of time services are required. Arr. by years, alph. by name of clerk thereunder. No index. Handwritten on pr. fm. 10½ x 5 x 14. Off.

298. OFFICIAL COURT REPORTER'S NOTES ON CASES, 1921--. 2 file drawers, 1 stack. Reporter's notes of eighth judicial district court cases. Arr. chron. by date of case. No index. Shorthand notes. Condition fair. Drawers, 10 x 5 x 14; stack, 4½ x 8½. Off. va.

299. RECEIPT BOOK, 1885-93. 1 vol. Duplicates of receipts for fines, collections, and interest collected by clerk of court, showing number, date, to whom issued, and amount. Arr. num. by receipt no. No index. Handwritten on pr. fm. Condition poor. 150 pp. 2 x 11 x ½. Bsmt. va.

300. MOTOR VEHICLE TAX RECEIPTS, CERTIFICATES, 1923--. 1 file drawer.
Papers and lists relative to delinquent motor vehicle tax, showing date, name and address of owner, make and type of vehicle, serial number, motor number, amount delinquent, and amount collected by sheriff. Arr. by years. No index. Handwritten and typed. 10½ x 5 x 14. Off.

301. PRESCRIPTIONS, 1920-23, 1929-31. 7 cardboard boxes (labeled by inclusive prescription nos.).
Original prescriptions issued to purchasers of liquor, filled by drug stores and filed with the clerk of court, showing number, date, to whom issued, directions, signature of doctor, and date filed. Arr. num. by prescription no. No index. Handwritten under pr. heads. 6 x 11 x 10 to 10½ x 7 x 15.
4 boxes, 1920-23, auditor's bsmt. va.; 3 boxes, 1929-31, clerk's bsmt. va.

302. SELLERS' AND PURCHASERS' INDEX, 1920-33. 4 vols. (A-D).
Register of sellers and purchasers of liquor during prohibition, showing name of purchaser, address, name of seller, address, date of filing, prescription number, filing fee, and remarks. Arr. alph. by name of purchaser. No index. Handwritten on pr. fm. 335 pp. 18 x 12 x 3. Off. va.

Fees
(See also entries 138, 227, 317, 321.)

303. REGISTER OF FEES, 1877--. 12 vols. (two unlettered; B, A, E, F, H-M). Title varies: Fee Book; Clerk's Fee Book.
Register of fees arising from district court cases, showing number of case, date, amount of fee, names of plaintiff and defendant, names of attorneys, list of services, amount of fees for each service, total fees, and credits. Arr. num. by case no. Indexed alph. by names of plaintiffs. Handwritten on pr. fm. 11 vols., condition of binding fair. 300 to 450 pp.
14 x 9 x 1½ to 9½ x 14 x 2. 1 vol., 1886-90, bsmt. va.; 11 vols., 1877-86, 1890--, off. va.

304. DEPOSIT FEE BOOK, 1907-9. 1 vol.
Record of fees deposited in district court cases, showing number of case, names of plaintiff and defendant, amount of deposit, and list of services with charges and refunds. Arr. num. by case no. Indexed alph. by names of plaintiffs. Handwritten under pr. heads. Condition of binding poor. 75 pp. (20 pp. used)
13½ x 9½ x ½. Bsmt. va.

(Next entry 305, p. 188)

V. JUDGE OF PROBATE

The probate court and the office of judge of probate were authorized in Minnesota by the organic act.(1) The first territorial legislature provided for the selection of a judge of probate in each organized county at the general election.(2) The functions and duties of the office were fully prescribed and, with the exception of the passage from time to time of laws stating more specifically the probate judge's duties relating to juvenile cases, the functions and duties of the office have not changed greatly since territorial days.(3) The state constitution provides that the court shall be held at such time and place as may be prescribed by law and that the judge of probate may appoint a clerk.(4)

The term of office was originally fixed at three years, but was changed to two years in 1851 and was so continued by the state constitution adopted in 1857.(5) By vote of the electorate on November 2, 1920, as a result of legislation in 1919 proposing an amendment to the state constitution, the term of office was finally fixed at four years.(6)

The judge of probate may be removed by the governor for cause and after a hearing.(7) In case of a vacancy before the expiration of the regular term, the governor makes an appointment until the qualification of a successor chosen at the first general election that occurs more than thirty days after the vacancy shall have happened.(8)

In case of disability or incapacity a judge of probate may apply to the governor for honorable retirement. If the request, after investigation, is granted, the judge is relieved of his duties but continues to receive his salary for the remainder of

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(1) U. S. Statutes at Large, 9:405, 406, ch. 121, sec. 9.
(2) Laws, 1849, 6, sec. 2.
(3) Laws, 1849, 66-75, ch. 20, secs. 1-38; Revised Statutes, 1851, ch. 8, art. 6; General Laws, 1860, 186, 187, ch. 31; 260, ch. 76; Laws, 1935, 109-167.
(4) Constitution of the State of Minnesota, art. 6, sec. 7.
(5) Laws, 1849, 6, secs. 1-3; 66, 67, sec. 2; Revised Statutes, 1851, 71, sec. 1; Constitution of the State of Minnesota, art. 6, sec. 7.
(6) Laws, 1919, 753, ch. 531.
(7) Mason's Minnesota Statutes, 1927, sec. 6954.
(8) Constitution of the State of Minnesota, art. 6, sec. 10.

the term. If such a judge is over seventy years of age and has served more than forty years, he receives half pay for the remainder of his life.(9)

Before entering upon the duties of his office, the judge of probate must take an oath of office and execute a bond. Under legislation of 1849 the bond was filed with the secretary of the territory and the oath or affirmation was administered by the clerk of the district court and entered in the records of the court.(10) In 1851 the bond with the oath of office was filed with the county treasurer. Later legislation required the bond to be made to the county, and the bond and oath of office were filed with the register of deeds.(11) In 1935 the judge of probate was required to execute a bond to the state to be approved by the county board. The bond and oath of office were to be filed in the office of the county auditor, but a law of 1937 requires the transmittal to and the filing in the office of the secretary of state of bonds and oaths of judges, clerks, employees, and referees of the probate court, and applies to all bonds and oaths filed with the county auditor subsequent to June 30, 1935.(12)

The laws of 1849 specified that the probate court should be held on the first Monday of March, June, September, and December at the county seat and at such other times as circumstances might require.(13)

The court was given power to probate wills, grant letters of administration on the estates of deceased persons having been residents in, or inhabitants of, the same county at the time of their decease. Its jurisdiction included the appointment, removal, and discharge of administrators and guardians and the settlement of their accounts; the removal and control of executors and the settlement of their accounts; the distribution of assets of estates of decedents among heirs; and general charge of all matters within the county wherein executors, administrators, guardians, and trustees were or might be possessed of, or undertake the care of, or were in anywise

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(9) Laws, 1931, 285, 286, ch. 253.
(10) Laws, 1849, 66, ch. 20, sec. 2.
(11) Public Statutes, 1849-58, 165, ch. 8, title 9, sec. 188; Revised Statutes, 1851, 71, sec. 1; General Statutes, 1923, 977, sec. 6969; Mason's, 1927, 1726.
(12) Laws, 1937, 440, 441, 636-638, secs. 3, 4, 6, amending Laws, 1935, 113, 115-117, secs. 5, 14, 16.
(13) Laws, 1849, 67, ch. 20, sec. 3.

accountable for any real or personal estate of any decedent. The court was given the care and supervision of the persons and estates of minors throughout the county and the authority to appoint proper guardians. An appeal from the decisions of the probate court could be taken to the district court, and, on a writ of error, from the district court to the supreme court.(14) The judge of probate was ordered to record all proceedings in a book especially prepared for that purpose; he was directed to keep a registry of all wills, administrations, accounts, and decrees which were allowed, granted, or decreed by the court; and he was given the custody of papers and books belonging to the court.(15)

The present jurisdiction of the probate court is neither common law nor statutory, but constitutional. By the state constitution, adopted October 13, 1857, and made effective May 11, 1858, the jurisdiction of the probate court is expressly limited and restricted to the estates of deceased persons and persons under guardianship. The legislature cannot enlarge or diminish this jurisdiction conferred by the constitution, but it may regulate its exercise by prescribing modes of procedure to be followed by the court in exercising its jurisdiction.

The constitution gives to probate courts the entire and exclusive jurisdiction over the estates of deceased persons and persons under guardianship in the same manner and to the same extent that it gives to the district court jurisdiction over civil cases in law and equity arising out of other matters of contract or tort, but the jurisdiction of probate courts to determine claims against estates is not exclusive except as provided by statute. Claims ex delicto are prosecuted in the district court. The jurisdiction of the probate courts over estates of deceased persons is for the purpose of administering the estates, and includes all matters necessarily pertaining to the proper administration of them. The court has power through executors and administrators to take charge of, preserve, and distribute according to law the property of decedents, to construe wills, and to determine who are creditors, legatees, devisees, and next of kin.(16)

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(14) Laws, 1849, 67, 68, ch. 20, secs. 5, 6, 8.
(15) Laws, 1849, 67, ch. 20, secs. 3, 6.
(16) Constitution of the State of Minnesota, art. 6, secs. 7, 15; General Laws, 1860, 186, 187, amends sections of Public Statutes, relating to probate courts; General Laws, 1860, 260 (jurisdiction in certain cases); General Statutes, 1923, sec. 8690; Mason's, 1927, secs. 8690, 8692.

Judge of Probate (Next entry 305, p. 188)

In probating a will the executor, devisee, or legatee files a petition to have the will proved, and a hearing is set at which the will is either allowed or disallowed. If the will is allowed there follows the administration of the estate which includes payment of all claims against the estate, appointment of guardians if necessary, final distribution of the residue of the property to the heirs and legatees, and final accounting and discharge of the executor or administrator. If there is no will, or if the will is disallowed, an administrator is appointed by the court on application of an interested party and the administration of the estate proceeds in the same manner, except that the property is distributed according to the laws of the state rather than according to the will of the deceased.(17)

Assisting with the enforcement of the legislative act of 1905 imposing a tax on inheritances, devises, bequests, and gifts, the judge of probate, upon determining the amount of the tax, reports to the state auditor and the county treasurer. A record is made in a book furnished the probate court by the state auditor.(18)

The power of the judge of probate under territorial law to appoint guardians included not only guardians for minors, but also guardians for such persons as idiots, non compos mentis, lunatics, insane, or habitual drunkards. The probate court took charge of the estates of such persons. A jury of from seven to twelve citizens was appointed to hear the case, and, if the jury decided the allegations concerning the individual examined to be true, the court appointed a guardian who assumed the same liabilities as guardians of minors. When the estate was insufficient to bear the expense, the county paid the costs. If any person allegedly under any above-mentioned disability became of sound mind, he could, upon petition, have an order made or a decree allowed upon the guardian to surrender the property.(19)

The present procedure is not materially different except that all cases are now heard by the judge of probate without a jury.(20) Upon petition and after examination and a hearing,

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(17) General Laws, 1865, 51-54, ch. 16, secs. 2, 4-7, 9; Minnesota Year Book, 1934, 34.
(18) Laws, 1905, 427-435, ch. 288, amended, 1911, 274-285, amended, 1913, 831, 832, sec. 2.
(19) Laws, 1849, 72, 73, ch. 20, secs. 31-36.
(20) Mason's, 1927, secs. 8925, 8926; Laws, 1935, 146, ch. 72, art. 15, sec. 133.

due notice of which has been given to all interested parties, the judge may appoint one or more suitable persons as guardians of the person or estate, or both, of any person, who, because of old age or imperfection or deterioration of mentality, is incompetent to manage his person or estate, or of any person who, because of excessive intoxication, gambling, idleness, or debauchery so spends or wastes his estate or injures his person as to be likely to expose himself or his family to want or suffering.(21) Any person under guardianship (except as a minor, or as a feeble-minded or epileptic person, or a person under guardianship in the juvenile court) may, by a petition and after a hearing, be restored to capacity upon proof that such person is of sound mind and capable of managing his estate and that he is not likely to expose himself or his family to want and suffering.(22) The same is true of a feeble-minded or epileptic person except that the petition must be made by the state board of control.

The probate court is charged with the commitment of insane, inebriate, feeble-minded, epileptic, and other defective persons to state institutions, after application or petition, and after an examination and a hearing. If, for any reason, the judge of probate is unable to act upon a petition for commitment the court commissioner may act in his place.(23)

Under an act passed in 1935 which clarified, rearranged, and consolidated the laws relative to probate courts, such courts, in addition to the general powers conferred upon them, have the power: to examine witnesses and parties on oath, to compel their attendance, and to preserve order during any proceedings before the court; to issue citations, subpoenas, attachments, orders, judgments, decrees, necessary executions, warrants, or processes, to enforce them, and to authorize the taking of depositions; to adjourn any hearing with or without term, provided that when objection is made the adjournment shall be only for cause shown by affidavit or otherwise; to correct, modify, or amend its records to conform to facts and to correct its final decrees so as to include therein property omitted from the decree or from administration; to order any

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(21) Mason's, 1927, secs. 8916, 8920, 8923, 8924, 8931, 8933; Laws, 1935, 145, ch. 72, art. 15, sec. 129.
(22) Mason's, 1927, sec. 8929; Laws, 1935, 149, 150, ch. 72, art. 15, sec. 143.
(23) Laws, 1935, 159-164, ch. 72, art. 18, secs. 173-184; Mason's, 1936 supplement, secs. 8992-173, 8992-181, 8992-183.

representative to surrender and deliver property to his successor or to distribute it; to punish for contempt.(24)

The probate court is directed by this act of 1935 to keep the following records: an index in which files pertaining to estates of deceased persons shall be indexed under the name of the decedent, those pertaining to guardianships under the name of the ward, those pertaining to an insane, inebriate, feeble-minded, or epileptic person under the name of such person, those pertaining to wills pursuant to section 48 of the same act under the name of the testator; a register properly indexed in which is listed under the name of decedent, ward, insane, inebriate, feeble-minded, epileptic, or testator all documents pertaining thereto and in order filed; a record of wills, properly indexed; a record of bonds, properly indexed; a record of letters, properly indexed; a record of claims, properly indexed; a record of orders, properly indexed (except orders allowing or disallowing claims and nonappealable orders). In the opinion of the attorney general the probate judge must keep a record of the proceedings in insanity and juvenile matters.(25)

Probate judges in Minnesota are required under legislation of 1923 to assemble at the capitol in St. Paul, or at some other designated place, on the second Wednesday after January first of each year to formulate and adopt or revise general rules of practice for the probate courts. Any twenty of the judges present at the meeting constitute a quorum. The rules formulated at these meetings govern all probate courts of the state, but they may be relaxed or modified in the interests of justice when necessary.(26)

For two years after the admission of the state the judge of probate exercised the power of the office of court commissioner created by the state constitution. Since 1860 the offices have been separate, but the voters, if they so choose, may elect one man to both offices, and in some cases this is done.(27)

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(24) Revised Laws, 1905, sec. 3633; Laws, 1935, 112, sec. 3, amended, 1937, 636-646.
(25) Revised Laws, 1905, sec. 3625; Laws, 1935, 112, 113, sec. 3; 125, sec. 48.
(26) Laws, 1923, 554, ch. 400, sec. 1.
(27) Constitution of the State of Minnesota, art. 6, sec. 15; General Laws, 1858, 111, 112; 1860, 203; Legislative Manual of the State of Minnesota, 1935, 396, 397, 401, 403, 404, 409. See historical essay on Court Commissioner, post.

Judge of Probate (Next entry 305, p. 188)

The juvenile court, so called, is the culmination of a series of laws dating from 1849, when the judge of probate was given the care of the persons and estates of minors within the county. This, however, related to minors with property and was incident to probate functions. Indigent children were a charge of the board of county commissioners, and offenses by minors were tried in justice, municipal, and district courts in the same manner as crimes by adults.

In conserving the interest of a minor the judge of probate was empowered, unless a guardian had been named by will, to appoint one, following the choice of the minor himself, if competent, or making an arbitrary selection if the minor was too young or otherwise incompetent to choose. No guardian could be appointed who had also been appointed as executor or administrator of any estate in which the minor had an interest. Every guardian was required to file a bond in court. Within two months after a child under guardianship came into possession of property, the guardian was required to file in the office of the court an inventory and statement upon oath or affirmation of such property and estate. Every two years or oftener the guardian was required to render an account to be filed in the probate office of the minor's property and estate and a full account when the ward arrived of age. The decree of the probate court upon such final account was conclusive upon the parties unless reversed, altered, or modified on appeal. The guardian could be discharged or removed by the court and a successor appointed. The court could direct the investment of moneys in the hands of the guardian, and, in the case of waste of a minor's estate or other property, could issue writs of attachment. The court having jurisdiction of the accounts of any executor, administrator, or guardian had power to authorize a sale or mortgage of real estate by the executor, administrator, or guardian. No sale of property was permitted until an inventory and bond were filed with the court.(28)

It was the duty of the judge of probate to give to any interested person, upon application, a certified copy of any balance found due and remaining unpaid upon an executor's, administrator's, or guardian's account. The certified copy of the balance was filed in the office of the clerk of the district court and was entered upon the judgment docket of the district court, which, when so done, constituted a lien upon the property of the executor, administrator, or guardian as would a judgment obtained in court. Compliance with any order, decree, determination, or judgment of the court of probate for the payment of

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(28) Laws, 1849, 67-71, ch. 20, secs. 8-25.

money due any person could be enforced. Writs could be issued and sales and conveyances were good and valid as if made in district court. The sheriff was authorized to levy and sell property under decree, judgment, et cetera, of the court.(29)

Since the first general statement by law in 1849, giving the judge of probate jurisdiction over the persons, estates, and guardians of minors, laws have been passed from time to time adding to and stating more specifically the powers of the judge with regard to children. In 1861 the judge of probate and the county commissioners were given supervision over the trustees of orphan asylums in the act of apprenticing orphan children whose support was chargeable to the county.(30)

In 1881 the judge of probate was authorized, when it appeared necessary, to appoint an orphan asylum, incorporated under the laws of the state, as guardian of any destitute child. (31) The legislative act of 1885, establishing the state public school, provided that the judge of probate might order a child, shown after proper examination to be dependent, delivered to that school.(32) Legislation in 1893, relating to societies organized for the purpose of securing homes for orphans or abandoned children, or neglected or grossly ill-treated children, outlined the procedure by which the judge of probate might direct that the children be turned over to such societies for the purpose of placement or adoption.(33)

The functions of the judge of probate in juvenile cases were still further broadened when the legislature of 1909 gave the probate court in all the counties of the state, except Hennepin, Ramsey, and St. Louis, jurisdiction over the appointment of guardians for all dependent, neglected, or delinquent children under the age of seventeen. The guardian might be any responsible person, any reputable institution to which the child might be committed, or the state board of control.

The judge was also given authority at his discretion to appoint one or more persons of good character to serve as

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(29) Laws, 1849, 71, 72, ch. 20, secs. 29, 30.
(30) General Laws, 1861, 183, ch. 57; 1866, 31, ch. 9, superseded by General Statutes, 1866, 275, ch. 34, secs. 65-67; General Laws, 1881, 71, ch. 54.
(31) Ibid., 1881, 71, amends General Statutes, 1878, ch. 34, title 3, secs. 181, 182.
(32) General Laws, 1885, 172-179, amended, 1889, 269, amended 1891, 199.
(33) Ibid., 1893, 113-116.

probation officers with the powers of peace officers. Their principal duties were to investigate cases, to take charge of the child before or after trial or hearing as directed by the judge, and to keep such records and make such reports as the judge ordered. If, in the opinion of the court, guardianship would be ineffectual because of the serious delinquency of the child, the probation officer was ordered to cause such delinquent child, or the parent of any such delinquent child, or any other person guilty of any offense against the laws of the state, which offense was likely to have affected such child's conduct or character, to be proceeded against in accordance with such laws as might be in force governing the commission of crimes and misdemeanors. The same act required the judge to keep a suitable book in which to record all proceedings under the provisions of the act, provided that he did not need to record any evidence taken except that which seemed to him to be proper and necessary.(34)

Still another forward step was taken in 1913. Provision was made that whenever any child under the age of seventeen was brought before any municipal court or justice of the peace, in any county except Hennepin, Ramsey, or St. Louis, on a criminal charge, judgment should not be pronounced until twenty-four hours after the arraignment. If at any time before the judgment was pronounced, any person should start guardianship proceedings in the probate court of the county, the municipal court or justice of the peace was compelled to discharge the child from custody forthwith, and the matter of the guardianship of the child then proceeded in the probate court.(35) As a matter of practice, altruistic friends of youth usually saw to it, except in a few obviously vicious cases, that such application was made, thus securing through the facilities, experience, and judgment of the probate court a broader view of the circumstances, surroundings, and potentialities of the erring child.

In the meantime, in 1905, the first juvenile courts in the state had been established in the counties of the state "having over 50,000 population", that is, in the counties of Hennepin, Ramsey, and St. Louis. In these counties the district court was given original jurisdiction over all cases involving dependent, neglected, or delinquent children under the age of seventeen. The judges of the court were to designate one of their own number to hear such cases; the court of such judge

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(34) Laws, 1909, 269-274, ch. 232.
(35) Laws, 1913, 259, ch. 260, sec. 4.

was to be called the juvenile court; it was to be held in a special room; and the record which was required to be kept was to be known as the juvenile record.(36) In 1909 it was provided that the district court designated as the juvenile court should at all times give preference to juvenile work.(37)

Similar juvenile courts were established in the counties outside the metropolitan areas in 1917. The district court still had jurisdiction in Hennepin, Ramsey, and St. Louis counties, and in the two other counties of over 33,000 population, namely, Otter Tail and Stearns. All probate courts in the counties having less than 33,000 population were given the same original jurisdiction, duties, and designation in juvenile cases that had been conferred on the district courts in 1905. Such probate courts had in reality been juvenile courts since 1909. The act of 1913 actually uses the words "juvenile court" in the title although it appears nowhere in the text. However, the formal creation of the probate court as a juvenile court with that designation did not occur until 1917. By this act the age jurisdiction was raised to eighteen years. The court was required to keep a proper book or docket, keep records of the appointments of guardians, et cetera; and, based upon such docket and records, any parent or attorney for any child dissatisfied with the final disposition might appeal to the district court, by complying with the general laws regarding appeals from the probate court.

The welfare of the delinquent child, rather than confinement or other punishment, is the principal aim of the juvenile court. Cases are often continued from time to time with the child in the custody of a probation officer, and the law provides that such a child, where conditions are suitable, may even be allowed to remain in his own home subject to probationary supervision. A child under eighteen failing to prove amenable to such efforts toward his betterment, may be committed to the State Training School for Boys, the Minnesota School for Girls, et cetera. In no case may a child be held under such commitment beyond the age of twenty-one years.(38)

Laws of 1925 more clearly define the procedure for the judge of probate acting as juvenile judge, and provide that the county attorney and the county commissioner from the district in which the child resides shall be present at the hearing of such child's case.(39)

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(36) Laws, 1905, 418, 419, ch. 285.
(37) Laws, 1909, 507, ch. 418.
(38) Laws, 1917, ch. 233, sec. 1; ch. 237, secs. 1-11; ch. 397, secs. 1-17.
(39) Laws, 1925, 449-452, ch. 355.

In 1927 original jurisdiction over dependent, neglected, and delinquent children was taken from the district court in Stearns and Otter Tail counties and placed in the probate courts, which thus attained the same juvenile court status as all the other probate courts of the state outside the metropolitan area. In Minneapolis it was designated that one of the district judges should be elected specifically as a judge of the juvenile court. In Ramsey and St. Louis counties the district judges continued to designate one of their own number to preside over juvenile cases. The same act provided that a juvenile court having once acquired jurisdiction over a dependent, neglected, or delinquent child under the age of eighteen should continue that jurisdiction until the age of nineteen unless the child was discharged sooner.(40)

The census of 1930 having disclosed that Blue Earth, Olmsted, and Winona counties had passed the 33,000 population mark, the population limit of the counties in which the probate court had juvenile jurisdiction was raised to 40,000. Otter Tail and Stearns counties have more than 40,000 population, but by special provision they were placed in the same category as the counties under 40,000. The law of 1931 did not, therefore, change the status of any of the courts.(41) Two years later it was provided that wards of the juvenile court should remain under its jurisdiction until the age of twenty-one unless earlier discharged.(42)

As a part of the program of caring for dependent children and relieving some of the conditions which contribute to delinquency, the legislature of 1913 provided for payment of county aid to mothers of dependent or neglected children under the administration of the probate court.(43) In 1917 administration of the law was transferred to the juvenile courts. In only the largest five counties did this make a difference; the judge of probate in all the others continued to perform his previous duties in regard to mothers' aid but did it under his additional title of juvenile judge.(44)

The child welfare board was also created by legislation in 1917 to cooperate with the courts and the state board of control

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(40) Laws, 1927, 289, 290, ch. 192, secs. 2, 3, amending General Statutes, 1923, secs. 8637, 8638.
(41) Laws, 1931, 281-283, ch. 250, amending Mason's, 1927, secs. 8637, 8638, 8641.
(42) Laws, 1933, 226, 227, ch. 184.
(43) Laws, 1913, 148, ch. 130.
(44) Laws, 1917, 337.

in the administration of the laws of 1917 providing for dependent, neglected, or delinquent children. The judge of probate was authorized to direct the child welfare board of the county to aid in the investigation of county allowances to mothers.(45) A broader and more flexible law providing for dependent or neglected children was passed in 1935, and state aid was given under the direction of the state board of control.(46)

The administration of the laws providing for dependent, neglected, or delinquent children still comes under the exclusive local jurisdiction of the juvenile court, with the exception of mothers' aid which has been taken out of the juvenile court and placed in the category of aid to dependent children under the local administration of the county welfare board, established in Scott County on July 1, 1937. This was done to receive government grants to the state for aid to dependent children under the provisions of the federal social security act. The functions of the child welfare board as an agency of the state board of control were also transferred to the county welfare board.(47) Appeals may be made from the juvenile court to the district court and from there to the supreme court.(48)

In Scott County, Daniel Apgar was appointed by the board of county commissioners on April 29, 1853, to act as judge of probate until one was elected or appointed. The same man was elected at the general election in October 1853.(49)

In 1895, Nicholas Meyer, the judge of probate, was also elected court commissioner and continued to exercise the duties of that office until his retirement from the probate bench in January 1929.(50)

Whenever the term of office of any judge of probate expires, he is required by law to deliver to his successor in office, all books or papers in his possession relating to his office.(51)

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(45) Laws, 1917, 280, ch. 194. (For amendments to these laws see the paragraphs on mothers' aid and the child welfare board under the county welfare board in this volume.)
(46) Laws, 1935, 596-599, ch. 326.
(47) Laws, 1935, 73-78, ch. 57; 179, 180, ch. 82; 596-599, ch. 326; 1937, 138-141, ch. 79; 650-658, ch. 348.
(48) The juvenile court code is found: Mason's, 1927, secs. 8636-8689.
(49) County Commissioners' Records, A:1.
(50) Ibid., H:161, 435; I:12, 491.
(51) General Statutes, 1923, sec. 8692.

The records of the probate office are found in the office vault and in the dungeon vault in the basement.

Minutes of Proceedings
(See also entries 231, 319.)

305. MINUTE BOOK, 1856-80, 1889-93. 2 vols. (one unlettered; A). Title varies: Probate Minute Record, 1856-80.
Court minutes of hearings of probate cases, showing case title, date of hearing, nature of instrument for hearing, and disposition. Arr. chron. by date of hearing. Indexed alph. by names of principals. Handwritten under pr. heads. 1856-80, condition of binding fair. 300 to 592 pp. 16 x 11 x 2¼ to 18 x 13 x 3. Off. va.

Cases
(See also entry 319.)

306. PROBATE RECORDS, 1856--. 248 file drawers (labeled by inclusive case nos.).
Original instruments filed for each individual probate court case, including cases for estates, guardianship, insanity, and cases for dependent, neglected, and delinquent children. Arr. num. by case no. For index see entry 308. Handwritten and typed on pr. fm. 10½ x 5 x 14. Off. va.

307. PROBATE REGISTER, 1856--. 8 vols. (A-H).
Record of all instruments filed and recorded for probating estates, guardianship of minors and incompetents, and insanity cases, showing case number, name of case, date, list of instruments filed, date each filed, and where recorded in minute book. Arr. num. by case no. Indexed alph. by names of cases; also separate index, entry 308. Handwritten on pr. fm. 450 pp. 18 x 13 x 3. Off. va.

308. INDEX TO PROBATE REGISTRY, 1856--. 4 vols. (A-D).
Serves Probate Records, entry 306, Probate Register, entry 307, Will Record, entry 310, and shows name of estate, ward, guardian, or administrator, case number, and where recorded. Arr. alph. by name of principal. Handwritten under pr. heads. 640 pp. 18 x 13 x 3. Off. va.

Juvenile Cases
(See also entries 403, 404.)

309. JUVENILE COURT REGISTER, 1914--. 1 vol.
Record of cases of delinquent children, containing minutes and disposition of each case. Arr. chron. by date of entry. Indexed alph. by names of delinquents. Handwritten on pr. fm. 320 pp. 12 x 16 x 2. Off. va.

Wills

310. WILL RECORD, 1856--. 3 vols. (A-C). Title varies: Register, vol. A, 1856-98.
Copies of probated wills, showing case number, name of testator, contents of will, date of will, date of reading, and names of heirs and legatees. Arr. chron. by date of entry. Indexed alph. by names of testators; also separate index, entry 308. Handwritten on pr. fm. 585 pp. 11 x 15½ x 2½ to 12 x 16 x 2½. Off. va.
For related records see entry 220.

311. REGISTER OF PURPORTED WILLS, 1884--. 2 vols. (A; one unlettered).
Registration of purported wills, showing file number, date filed, name of testator, and residence. Arr. num. by file no. Indexed alph. by names of testators. Handwritten on pr. fm. Condition of binding fair. 300 pp. 16 x 11 x 2¼. Off. va.

312. PROBATE ORDER BOOK, 1856--. 37 vols. (A, D-G, A1, A2, 3A-8A, 8-2, 9A-12A, I-Z, 13A). Title varies: Probate Record, vols. A, D-G, 1872-91.
Copies of bonds and orders for appointment of guardians, orders to examine accounts, orders allowing final accounts, final decrees in the administration of real and personal property, orders of commitment, commissions to physicians, orders admitting foreign wills to probate, orders pertaining to appraisers, orders limiting time for settlement of estates, orders for appointing appraisers in guardianships, orders confirming sale of real estate, orders to sell real estate, and warrants to appraisers. Arr. chron. by date of entry. Indexed alph. by names of estates or administrators. Handwritten on pr. fm. 500 to 600 pp. 18 x 13 x 2½ to 12 x 16 x 3. Off. va.

Letter Record
(See also entry 220.)

313. PROBATE COURT LETTER RECORD, 1856--. 7 vols. (A-G).
Copies of letters of administration, guardianship, and letters testamentary, and special letters of administration with will annexed. Arr. chron. by date of entry. Indexed alph. by names of representatives. Handwritten and typed. 500 pp. 11 x 16¼ x 3. Off. va.

Inheritance Tax

314. INHERITANCE TAX RECORD, 1897--. 5 vols. (labeled by inclusive case nos.). Title varies: Order Determining Tax Record.
Record of the process by which the taxable value of estates is determined, showing case number, name of estate, name of executor or administrator, estimated value in first petition, value determined by appraisers, value fixed by probate court, final value after claims are deducted, amounts distributed to heirs at law, legatees and devisees by will, and amount of tax. Arr. num. by case no. Indexed alph. by names of estates. Handwritten on pr. fm. 400 pp. 18 x 12 x 1½. 2 vols., 1897-1913, dungeon va.; 3 vols., 1913--, off. va.
For related records see entries 172, 356, 357.

Claims

315. PROBATE CLAIM RECORD, 1890--. 4 vols. (A-D).
Register of claims against estates subject to settlement, showing date, file number, name of estate, claim number, when filed, name of claimant, nature and amount of claim, amount allowed, amount disallowed, date allowed, nature of offsets, final balance, and remarks. Arr. chron. by date of entry. Indexed alph. by names of estates. Handwritten on pr. fm. 432 pp. 18 x 13 x 2¼. Off. va.
For related records see entry 172.

Bonds

316. BOND RECORD, 1871--. 12 vols. (A-F, F2-F6, G).
Title varies: Probate Bond Record, 1871-1903.
Register of bonds filed by administrators, executors, and guardians, showing date, name of estate or ward, name of representative, names of sureties, amount of bond, and date filed. Arr. chron. by date of entry. Indexed alph. by names of principals. Handwritten on pr. fm. 500 pp. 16 x 12 x 2½. Off. va.

Fees
(See also entries 138, 227, 303, 321.)

317. RECORD OF FEES, 1889-91. 1 vol. (A).
Register of fees collected in settling estates, showing date, name of payer, account, and amount. Arr. chron. by date of entry. Indexed alph. by names of payers. Handwritten. 200 pp. 18 x 13 x 1½. Off. va.

Miscellany

318. ACCOUNT CURRENT, 1856--. 2 vols.
Record of valuation and distribution of real and personal property of probated estates, showing name of estate, description of property, and distribution. Arr. chron. by date of entry. Indexed alph. by names of estates. Handwritten on pr. fm. Condition of binding fair. 475 pp. 12 x 17½ x 2. Off. va.

VI. COURT COMMISSIONER

The state constitution adopted in 1857 created the office of court commissioner in each organized county of the state. This office was to have the judicial power and jurisdiction not exceeding that of the district court at chambers. The legislature, at its discretion, was authorized to provide for the election of the new officer or to confer the powers and duties of the office upon the judge of probate.(1)

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(1) Constitution of the State of Minnesota, art. 6, sec. 15.

Court Commissioner (Next entry 319, p. 195)

At the time of the creation of the office Minnesota was sparsely settled. The judicial districts covered wide areas, and it was often necessary to travel hundreds of miles to reach a judge in order to have him perform some simple routine judicial act or to sign a purely routine paper. The new office, therefore, was the natural creation of pioneer times and conditions. With the passing of pioneer times, the establishment of smaller districts and the introduction of modern transportation, the office came to be less necessary and in many counties has fallen into desuetude.

In 1858 the legislature passed an act conferring upon the judge of probate the powers of a court commissioner. This act provided that the judge of probate in each organized county (to the capacity of whom the district judge of the county should have certified upon due examination) should act as a court commissioner and should have and might exercise the power of a judge of the district court at chambers, administer oaths, take acknowledgments of deeds and other instruments in writing, allow writs of certiorari and injunction and of habeas corpus, order and determine the amount of bail, take testimony and depositions of witnesses to be used in cases at law as might be provided for by rule or order of the district court, state accounts between parties in cases referred to him by order of the district court, and tax costs.(2)

In 1860 the legislature passed an act providing that at the next general election, and once in every three years thereafter, a court commissioner was to be elected in each organized county. According to this act, such an officer was to be learned in the law, to possess all the other qualifications required of judges of the district court, to exercise all the judicial powers of a judge of the district court in vacation, and to keep an office at the county seat. Nothing in the act prevented the same person from holding at the same time the office of judge of probate and that of court commissioner.(3) This is the practice followed in some counties of the state, while in several others no court commissioner is elected and the office remains vacant.(4)

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(2) General Laws, 1858, 111, ch. 48.
(3) Ibid., 1860, 203.
(4) Legislative Manual of the State of Minnesota, 1935, 396, 397, 401, 403, 404, 409.

 (Next entry 319, p. 195)

The court commissioner may be removed by the governor for cause, the removal being subject to appeal to the district and supreme courts.(5) Vacancies in the office may be filled by the district judge until the next general election or until a successor qualifies.(6) The term of office is four years as fixed in 1885.(7)

While the original provision of the law of 1860 stating that the court commissioner must be a man learned in the law still remains in the statute, the supreme court has held that the provision is unconstitutional.(8) "The legislature," the court declared, "cannot impose greater restrictions or exact other qualifications for eligibility to a constitutional office than is prescribed in the constitution. It follows that the part of the statute requiring a court commissioner 'shall be learned in the law' is unconstitutional."

Before entering upon the duties of his office the court commissioner must execute a bond to be approved by the county board and to take his oath of office. In 1860 the bond and oath were filed with the county treasurer. In 1866 the law required the bond with the oath of office to be filed and recorded in the office of the register of deeds. Later legislation required that the bond be approved by the county commissioners, recorded by the register of deeds, approved by the attorney general, and filed in the office of the secretary of state.(9)

The court commissioner has and may exercise the judicial powers of a judge of the district court at chambers but not

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(5) Mason's Minnesota Statutes, 1927, sec. 6954.
(6) Ibid., 1927, sec. 250.
(7) General Laws, 1885, 38.
(8) Constitution of the State of Minnesota, art. 7, sec. 7; State ex rel. Paul A. Froehlich v. George J. Ries et al. (168 Minnesota Reports, 11) June 11, 1926.
(9) General Laws, 1860, 203, sec. 3; General Statutes, 1866, 131, ch. 8, title X, sec. 15; General Laws, 1874, 233; Laws, 1909, 106, ch. 115; Mason's, 1927, sec. 981.

of the district court in vacation.(10) He is empowered to issue writs of habeas corpus, to take acknowledgments of deeds and other written instruments, to take depositions and certify the same, to perform marriage ceremonies, and to take disclosures in garnishment proceedings pending in the district court. Orders for the examination of judgment debtors in proceedings supplementary to execution may be made returnable before him.(11) Sheriffs and deputies, with the consent of the judge of the district court or a court commissioner of or for the county in which an arrest is made, have the power to take finger and thumb prints, Bertillon measurements, photographs, and other identification data of persons arrested for certain types of crimes.(12)

The question has arisen as to how far the court commissioner may ignore the wishes of the district court in exercising its powers. In a particular case it was held that the court commissioner might exercise his power to waive the requirement of the statutory provision that no marriage be performed until five days after the issuing of the license, even though the district judge expressed the desire that the court commissioner should not exercise such power.(13)

According to the act of 1889 establishing a probate code, the court commissioner could act on insanity cases when the judge of probate was unable to perform his duties. Later

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(10) The court commissioners appointed by the Legislature under sec. 15, art. 6, of the Constitution are vested with the powers of a judge of the district court at chambers, besides the powers especially enumerated in the act of August 4, 1858 (Laws, 1858, 111, ch. 48), but the act does not confer the powers of a judge of the district court in vacation. Chambers duties are confined to such preliminary and intermediate matters as the granting of orders to show cause, extending time to plead, letting to bail, et cetera, and matters of a similar nature which are generally allowed ex parte on a prima-facie showing. The powers of the district court in vacation are enumerated in Public Statutes, 1849-1858, 562, sec. 43, and comprehend questions which require the exercise of judicial discretion in their determination. William B. Gere, Plaintiff in error, v. Henry D. Weed et al (3 Minnesota Reports, 352), December 1859.

(11) General Laws, 1862, 104; Revised Laws, 1905, sec. 148; Laws, 1909, 58, ch. 59.

(12) Laws, 1927, 320, sec. 6.

(13) Mason's, 1938 supplement, sec. 247, quoting Op. Atty. General, June 21, 1935.

legislation, amending the phrasing of the earlier act, provides that whenever the judge of probate is unable to act upon any petition for the commitment of any defective the court commissioner may act in his place.(14)

A written statement verified by oath is prepared annually by the commissioner, and on or before January 10 filed with the county auditor, showing in detail the amount of all fees received by him in connection with his official work during the preceding calendar year.(15)

The court commissioner is required to keep his office at the county seat, except that, under certain circumstances, the judge of the district court may permit him to have it elsewhere.(16)

F. J. Whitlock, judge of probate, served as first court commissioner from 1858 to 1860 under the legislative act combining the two offices. No further record has been found for a court commissioner until one was approved in 1893. From 1895 to 1911 the elected judge of probate was also elected as court commissioner, but since then there has been no elected court commissioner for Scott County,(17) the judge, however, continuing to perform the duties proper to the office.

The court commissioner is required to keep a record of all proceedings conducted before him and to leave these records for his successor.(18) Scott County records of the office from 1885 to 1930 are found in the office vault of the judge of probate.

(See also entries 305-308.)

319. COURT COMMISSIONERS'S RECORD, 8TH JUDICIAL DISTRICT, 1885--. 1 vol. Last entry 1930.
Record of hearings on insanity cases, showing date, name of patient, report of examiners, disposition, and order of court. Arr. chron. by date of hearing. Indexed alph. by names of patients. Handwritten on pr. fm. 258 pp. 11 x 16 x 9.

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(14) General Laws, 1889, 150, sec. 280; Laws, 1917, 488, sec. 17; 1921, 312, 313, sec. 1; 1935, 163, sec. 181.
(15) Mason's, 1927, sec. 976.
(16) General Laws, 1860, 203, sec. 5; Revised Laws, 1905, sec. 602; Laws, 1909, 544, ch. 447; Mason's, 1927, sec. 975.
(17) Belle Plaine Enquirer, February 3, 1859, 3; County Commissioners' Records, H:161, 435; I:12, 491.
(18) General Laws, 1860, 203, sec. 4.

(Next entry 320, p. 199)

VII. CORONER

The office of county coroner was an idea brought to this country from England. It was established in the colonies, and later in the new territories and states. In Minnesota the office was authorized by the first territorial legislature in 1849 and a subsequent act defined the duties.(1) The term of office, originally set at two years, was extended to four years in 1913.(2)

Before entering upon the duties of his office, the coroner is required to give a bond to the county in such sum as the county board directs and approves, and the bond with his oath of office is filed with the register of deeds until recorded and then sent to the secretary of state in whose office, after approval by the attorney general, it is filed.(3)

A coroner may appoint one or more deputies, who, in the absence or inability of the coroner to act, have the same powers and liabilities as the coroner. Each deputy, before entering upon his duties, is required to give the bond and oath required of the coroner, which oath and bond are filed for record with the register of deeds. The deputy holds his office during the pleasure of the coroner.(4)

The principal duty of the coroner is to inquire into deaths where violence is suspected, hold inquests, order autopsies, issue criminal warrants if the circumstances justify, prepare burial certificates, and make disposition of bodies.(5)

Whenever a body is found of any person who has met death by violence, accident, or suspected homicide, or where a person dies under mysterious circumstances, the coroner is notified at once. No one is allowed to remove, interfere with, or handle the body or effects of any deceased person, subject to investigation by the coroner, until that officer or his deputy has made such an

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(1) Laws, 1849, 6; Revised Statutes, 1851, 73-76.
(2) Laws, 1913, 668, amended, 1915, 233.
(3) Revised Statutes, 1851, 73; General Laws, 1874, 233, 234; General Statutes, 1894, 237, ch. 8, title 12, sec. 838; Mason's Minnesota Statutes, 1927, secs. 942, 981.
(4) Revised Statutes, 1851, 76; Laws, 1854, 60; Mason's, 1927, sec. 957.
(5) Mason's, 1927, secs. 942-957-3.

investigation and issued an order, and no one but the coroner is permitted in such a case to issue a burial permit.(6)

As soon as the coroner receives notice of the discovery of the body of any person believed to have come to his death by other than natural causes, he or his deputy proceeds at once to the place where the body is found. After securing such information as is immediately available regarding the case, he may order an autopsy if he deems it advisable. If it appears that the death was a natural one, or an accidental one of such a nature as to require no inquest, he files a statement to that effect with the clerk of the district court and issues a burial permit.(7)

When the circumstances appear to justify an inquest the coroner proceeds to set a time and place for holding one. He presents a warrant to an officer, requiring that official to summon six legal residents of the county to serve at the inquest as a coroner's jury. If the jury which reports at the inquest is not complete, notwithstanding the law which imposes a fine on any juror who without a reasonable excuse fails to appear, the coroner instructs an officer to summon as many persons as is required to make a sufficient panel. Subpoenas for the witnesses are also issued by the coroner, and attendance is enforced in the same manner as if the witnesses had been served with subpoenas in a criminal case. The fees are also the same. The coroner notifies the county attorney and requests his presence at the inquest.

The inquest is held in the proximity of the body. When the jury has heard the testimony and made the necessary inquiries it draws up and delivers to the coroner the inquisition, signed by each member, certifying when, how, and by what means the person came to his death. It also states his name, if known, and all the known circumstances affecting his death. If it appears that his death was the result of criminal violence, the jurors name the guilty person or persons, if known, or name anyone who may have been an accessory to the crime.(8)

If the jury finds that a murder or similar crime has been committed, the coroner may bind over, by recognizance, such witnesses as he wishes to testify at the following term of the

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(6) Mason's, 1927, sec. 957-1.
(7) Mason's, 1927, sec. 957-2.
(8) Revised Statutes, 1851, 74; Laws, 1901, 103; Mason's, 1927, secs. 947-951.

district court at which indictment for such offense can be found. (9) If any person charged by the inquest with having committed such offense is not in custody, the coroner may have the same power as a justice of the peace to issue a process for his apprehension. Such a warrant is returnable before any justice of the peace or other court having jurisdiction in the case.(10)

The coroner is required to put into writing, and the witnesses to sign, all testimony given before the coroner's jury. This, together with a statement of the proceedings, is delivered to the clerk of the district court, who must file, index, and enter the proceedings in a book kept for that purpose.

When the coroner has held an inquest on the body of an unknown person, or when he thinks it unnecessary to hold an inquest on one he has been called to view, he must, if the body remains unclaimed by relatives or friends, cause the body to be decently buried. The expenses of the inquisition, and, in the case of the indigent and unknown, the burial, are paid by the county in which the body is found.(11)

Counties which have a population of 100,000 or more are required to have a public morgue for the receipt and disposition of all bodies which are subject to post-mortem examination or a coroner's inquest. The morgue, which is governed by a board, must be in a building by itself, and separated from any other business.(12) Every inquest, post-mortem examination, or autopsy performed upon any corpse by the coroner must be held at the morgue, except those held at the house of a victim who has died in his home.(13)

As a legal successor to the English "officer of the crown", the coroner has certain powers and duties concerning the office of sheriff. When the sheriff is a party to an action, or when any party files with the clerk of the district court an affidavit stating that he believes that the sheriff by reason of partiality, consanguinity, prejudice, or interest will not faithfully perform his duties in any action, the clerk directs all processes in such action to the coroner. If the sheriff for any reason is committed to the jail of his county, the coroner must be the

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(9) Revised Statutes, 1851, 75, sec. 13; Mason's, 1927, sec. 954.
(10) Revised Statutes, 1851, 75, sec. 14; Mason's, 1927, sec. 955.
(11) Revised Statutes, 1851, 75, sec. 11; General Statutes, 1923, 130; Mason's, 1927, secs. 952, 956.
(12) General Laws, 1893, 272; Mason's, 1927, secs. 727-729.
(13) General Statutes, 1923, 105.

keeper thereof while the sheriff remains a prisoner. In case of a vacancy in the office of sheriff from any cause, the coroner automatically succeeds to all its powers and duties until a sheriff is appointed or elected and qualifies. A vacancy is filled by the appointment by the board of county commissioners of a suitable person who holds office for the unexpired term or until a successor is elected and has qualified.(14)

The records of Scott County do not show that there was a coroner before 1856 when Daniel Apgar took the office and served until 1860.(15)

The records are found in the professional office of the present coroner.

(See also entry 259.)

320. CORONER'S RECORDS, 1914--. 6 vols.
Register of coroner's cases, showing date, name of deceased, cause of death, physical description, names of nearest relatives, list of effects, and disposition. Arr. chron. by date of entry. No index. Handwritten. Condition poor. 50 pp. 14½ x 7 x ¼.

321. FEE RECORD (CORONER), 1914--. 23 vols.
Duplicates of receipts to coroner for clothing and other articles delivered to relatives or other persons having claim to property of decedents, showing receipt number, date, items received, and signature of recipient; also includes receipts for payment of the various items of expense of coroner. Arr. num. by receipt no. No index. Handwritten on pr. fm. 100 pp. 5½ x 8½ x 1½.
For related records see entries 138, 227, 303, 317.

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(14) General Laws, 1871, 156; General Statutes, 1923, 94, 129; Mason's, 1927, secs. 943, 945.
(15) Information from the county officers.

(Next entry 322, p. 204)

VIII. SHERIFF

The office of sheriff, like that of coroner, was brought to America from England. The pattern for the office in the Northwest Territory was borrowed from the colonies and transmitted through Indiana and Michigan to Wisconsin, and then to Minnesota.

The Minnesota legislature of 1849 provided for the election of a sheriff in each organized county for a term of two years.(1) The term was extended to four years by the legislature of 1913. (2)

Every sheriff, before entering upon his duties, is required to give a bond to the state (in a sum set according to the population of the county) which must be approved as to amount and surety by the county board. This bond, together with his oath of office, is filed for record with the register of deeds. Failure to file the bond and oath on or before the 10th of January next succeeding his election is deemed a refusal to serve. After the bond is recorded in the office of the register of deeds it is forwarded to the office of the secretary of state where, after approval as to form by the attorney general, it is filed. (3)

The sheriff is the peace officer of the county. He must apprehend felons, execute writs, processes, precepts, and orders issued by lawful authority and delivered to him, attend terms of district court, and have charge of the county jail. The sheriff, although elected by the county, is virtually a state officer inasmuch as he attempts to maintain the laws of the state. However, many of his former duties are now assumed by or shared with government and state law enforcement agencies. In the performance of his duties the sheriff may appoint as many deputy sheriffs as he considers necessary, such deputies to be responsible to him and removable at his pleasure. Deputies are required to file with the register of deeds their oaths and appointments before entering on their official duties. In an emergency the sheriff may deputize and swear in any citizen for immediate assistance.(4)

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(1) Laws, 1849, 6, 80; Revised Statutes, 1851, 66.
(2) Laws, 1913, 668, ch. 458; 1915, 233, ch. 168.
(3) Laws, 1849, 80, 81, sec. 3; General Laws, 1874, 233, 234; Mason's Minnesota Statutes, 1927, secs. 905, 906, 981.
(4) Laws, 1849, 81, sec. 7; Mason's, 1927, secs. 907-909, 917.

(Next entry 322, p. 204)

Early legislation placed many temporary duties upon the sheriff. From 1849 to 1860 he was collector of all taxes.(5) In 1854 the sheriff was required to use all necessary means to obtain information of trespassers on school lands and to give the information to the county commissioners.(6) Legislation of 1861 authorized sheriffs to prosecute any person violating the act to prevent trespassers on lands granted or reserved to the Congress of the United States or to the State of Minnesota, to remove settlers on school lands, to enforce provisions of the act to prevent the sale of unripe cranberries,(7) and tc prosecute all persons violating the game law under an act for the preservation of deer, elk, birds, and fish.(8) An act of 1860 to regulate traffic in spirituous liquors charged the sheriff with a duty to make complaint to a justice of any knowledge of violation of the act.(9)

The sheriff has charge of the county jail and it is his duty to receive and safely keep all persons lawfully committed until their release through due course of the law. He is required to keep a jail register of all persons committed, containing date, name, address, description, offense, et cetera, and, when they are liberated, a statement of the authority by which the liberation took place. He furnishes suitable board and clothing to prisoners for which he is reimbursed by the county (a certain amount being allowed for each person) and supervises any labor which is done by them.(10) A jailer is appointed by the sheriff subject to the approval of the judge. (11)

When a sheriff or other officer legally arrests a person in a county, he may pass through any other county deemed necessary by him to convey the prisoner to the place commanded by the process under which the arrest was made.(12)

When provided with warrants from the clerk of the district court, it is the duty of the sheriff to attempt the collection of all delinquent personal property taxes. If the amounts are not paid on demand, he is ordered to distrain sufficient goods

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(5) Laws, 1849, 80; General Laws, 1860, 68.
(6) Laws, 1854, 44.
(7) General Laws, 1861, 74, 86, 177, 178.
(8) Ibid., 1861, 181, sec. 4.
(9) Ibid., 1860, 228.
(10) Mason's, 1927, secs. 10851, 10854-10858, 10861.
(11) Ibid., 1927, sec. 923.
(12) Ibid., 1927, sec. 915.

to pay the taxes and costs. He then immediately advertises the property in three places, stating when and where it is to be sold. If the taxes and costs are not paid before the day appointed for the sale, the sheriff proceeds to sell the property at public vendue, or as much of it as will be sufficient to pay the taxes and costs. No sheriff may purchase either directly or indirectly any property offered by him for sale by virtue of mortgage, judgment, execution, or other process. Any such purchase made by him or another person for him is void. Likewise, no sheriff or deputy sheriff may appear or practice as an attorney, solicitor, or counselor in any court, or draw up any process, or, with the intent to be employed in the collections of the demand of any process, advise or counsel any person to commence any actions or proceedings; nor may any sheriff or deputy sheriff be eligible to any other lucrative civil office, except village or city marshall.(13)

If required, every sheriff must give to any person delivering processes or papers to him for service or execution a certificate specifying the names of the persons, the nature of the process, and the time of delivery. Failure to make return of a writ or process is considered neglect of duty and is punishable by a fine. Subpoenas or other processes (with a statement of the fees endorsed thereon) which are issued by the court in a criminal action must be filed with the clerk of such court on or before the last day of the term for which the same was issued. The sheriff is required to attend all sessions of the district court and to take charge of juries when they leave the jury room. In case the judge fails to attend on a day appointed for holding court, the sheriff may open and adjourn it. If, however, the judge does not appear by four o'clock on the third day, the sheriff may adjourn the court sine die.(14)

The presiding judge of any district court, at some time before the return of a verdict by a petit jury composed of both men and women, may direct the sheriff to appoint a female legal voter of the county as special deputy sheriff or bailiff to serve until the discharge of such jury from further service upon the case. The appointment must be recorded in the minutes of the court, and, before entering upon her duties, the person appointed must take the oath required by deputy sheriffs and file it with the clerk. She may then have charge of the petit jury conjointly with the male deputy or bailiff or the several deputy sheriffs

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(13) Revised Laws, 1905, secs. 890, 891; General Statutes, 1913, secs. 932, 936; Mason's, 1927, secs. 912, 916.
(14) Laws, 1849, 81, 82; Mason's, 1927, secs. 907, 908, 911.

who have been furnished by the sheriff through an order filed with the clerk before the general term of court.(15)

It is the duty of the sheriff to pay to the county board at its regular sessions all money collected or received by him for the use of or belonging to the county.(16)

Any sheriff or other ministerial officer who mutilates, destroys, conceals, erases, obliterates, or falsifies any record or paper appertaining to his office or who appropriates to his own use, or the use of another person, or secretes with intent to appropriate to such use, any money, evidence of debt, or other property is guilty of a felony.(17)

A vacancy in the sheriff's office by death, resignation, or otherwise, is filled by appointment by the board of county commissioners of some suitable person, which person serves out the unexpired term and until a successor is elected and has qualified.(18) Pending such appointment and qualification, the duties of the office are exercised by the coroner, who also serves in certain cases in which for any reason the sheriff may be temporarily disqualified.(19)

At the expiration of his term the sheriff may return all writs, processes, and orders which he has begun to execute by service, levy, or collection of money. In this case, or if he dies, or is otherwise unable to act, the sheriff in office, upon delivery of such writ, process, or order, with the memorandum of the former sheriff, shall complete the execution in the same manner and with the same effect as if it originally had been delivered to him.(20)

Ai G. Apgar, the first sheriff of Scott County, was appointed by Governor Alexander Ramsey in the spring of 1853, and was elected to the office in the October election of that year.(21)

Most of the records are found in the sheriff's office in the courthouse. The jail register is kept in the jail building.

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(15) Laws, 1921, 553, ch. 369; Mason's, 1927, secs. 918, 919.
(16) Laws, 1849, 81, 82, sec. 11; General Statutes, 1913, sec. 939; Mason's, 1927, sec. 921.
(17) General Statutes, 1923, sec. 10014.
(18) Laws, 1849, 81, sec. 8; Mason's, 1927, sec. 659.
(19) Revised Statutes, 1851, 73, 74, secs. 2, 3; Mason's, 1927, secs. 943-945.
(20) Mason's, 1927, sec. 913.
(21) County Commissioners' Records, A:2.

322. SHERIFF'S DAY BOOK, 1880--. 6 vols. (A-F).
Title varies: Sheriff's Process Docket, vols. C-E, 1888-1904.
Record of instruments served and fees collected, showing date, by whom ordered, kind of process, upon whom served, by whom served, date returnable, in what court, and amount of fees. Arr. chron. by date of entry. Indexed alph. by names of persons served. Handwritten under pr. heads. 150 to 241 pp. 12 x 16 x 1½ to 12 x 16 x 2¼. Off.

323. SHERIFF'S CRIMINAL DAY BOOK, 1923-34. 1 vol. (1).
Discontinued.
Record of persons arrested, showing date, name of prisoner, offense, date of trial, sentence, and date sentence completed. Arr. chron. by date of entry. Indexed alph. by names of prisoners. Handwritten under pr. heads. 201 pp. 13 x 18½ x 2. Off.

324. JAIL REGISTER, 1894--. 1 vol. (C).
Register of persons confined in jail, showing date, name, address, description, why committed, age, disposition, and length of sentence. Arr. chron. by date of entry. Indexed alph. by names of prisoners. Handwritten under pr. heads. 225 pp. 14½ x 17 x 2. Jail building.

325. SHERIFF'S FORECLOSURE SALES RECORD, 1896--.
1 vol. (B).
Sheriff's record of mortgage foreclosure sales, showing kind of instrument, date of service, name of owner, description of property, date of sale, to whom sold, and amount. Arr. chron. by date of sale. No index. Handwritten on pr. fm. 436 pp. 16 x 11½ x 3. Off.
For prior and related records see entries 102, 187, 326.

326. SHERIFF'S SALE AND EXECUTION DOCKET, 1883-1933.
2 vols. (A, B).
Record of property sold by the sheriff to satisfy mortgages, containing newspaper clippings of notices of foreclosures, showing date, description of property, name of owner, amount of sale, and fees collected by sheriff. Arr. chron. by date of sale. No index. Handwritten on pr. fm. 200 pp. 11½ x 15 x 1½ and 12 x 15½ x 2½. Off.
For subsequent records see entries 184, 325.

327. REGISTER PERSONAL PROPERTY TAX COLLECTIONS, 1915--.
1 vol. (A).
Record of delinquent tax collections made by sheriff on personal property, showing date collected, name of taxpayer, amount of tax, penalty, fees, and total amount paid. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 159 pp. 9¼ x 13 x 1¼. Off.
For prior and related records see entries 72, 73, 252.

IX. ATTORNEY

The office of district attorney in each county of the territory was established by the legislature of 1851 and the designation was changed to county attorney in 1860. The term, originally fixed at two years, was extended to four years by the legislature in 1913.(1)

A vacancy in the office of county attorney is filled by the board of county commissioners which appoints a suitable person, who, after taking the bond and oath of that office, serves out the unexpired term and until his successor is elected and has qualified.(2) No person is eligible to be county attorney if he already holds the office of justice of the peace, and no one may at the same time hold both offices.(3) When it appears by competent evidence that the county attorney is guilty of malfeasance in the performance of his duties, the governor may remove him from office, first giving him a copy of the charges against him and an opportunity to be heard in defense.(4)

Before entering upon his duties the county attorney must execute a bond, to be approved by the board of county commissioners, for his faithful performance of those duties, including prompt payment to the county treasurer of all moneys handled by

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(1) Revised Statutes, 1851, 69, ch. 8, art. 5, sec. 1; General Laws, 1860, 94; Laws, 1913, 668, amended, 1915, 233.
(2) General Statutes, 1923, 94, sec. 659.
(3) Mason's Minnesota Statutes, 1927, 182, sec. 925.
(4) General Statutes, 1923, 975, sec. 6954; Mason's, 1927, sec. 930.

him by virtue of his office. This bond, with the oath of office, is filed for record with the register of deeds. When recorded the bond and oath are forwarded by the register to the secretary of state.(5) The law of 1860 had provided that the bond and oath be deposited with the clerk of the district court.(6)

It is the duty of the county attorney to give advice and opinions to county commissioners or other officers at their request; to conduct preliminary examinations of criminals; to issue subpoenas and processes; to bring in witnesses before the grand jury; to attend all coroner's inquests at the request of the coroner; to draw all bills and indictments; to attend all terms of the district court; to appear in all county cases; and to prosecute or defend all suits, proceedings, applications, or motions, civil or criminal, in which the county is interested as a party.(7)

When requested by the attorney general, the county attorney shall appear for the state in any case instituted by such attorney general in his county, and assist in the preparation of the trial.(8)

The salary of the county attorney varies according to the population of the county, the amount being determined by the county commissioners. Larger counties allow the attorney an extra amount of salary for clerk hire.(9) The county attorney is forbidden to receive any fee or reward from any prosecutor or other individual for services in any prosecution or official business to which it is his duty to attend.(10) When the county attorney considers it necessary, he may appoint an assistant with the consent of the county commissioners. The assistant is also required to execute a bond which is filed with the register of deeds. At a session of district court the judge may appoint an attorney to act in place of, or to assist, the county attorney. However, the assistant may receive no pay if the county attorney is present, except by his consent.(11)

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(5) General Laws, 1874, 233, ch. 89, sec. 1; Mason's, 1927, sec. 924.
(6) Ibid., 1860, 94.
(7) Ibid., 1860, 95.
(8) Mason's, 1927, sec. 926.
(9) General Laws, 1860, 95, 96; Laws, 1937, 856.
(10) Ibid., 1860, 95.
(11) Mason's, 1927, sec. 931.

(Next entry 328, p. 208)

Whenever the county has no attorney or when he is absent from a session of the district court, that court may appoint, if necessary, by an order to be entered in the minutes, some suitable person to perform for such term the duties required by law to be performed by the county attorney. The person appointed shall be vested with all the powers of the county attorney, and shall receive a reasonable compensation for his services to be allowed by the board of county commissioners and paid out of the county treasury.(12)

At the request of the county attorney the board may appropriate for his use such funds as are not otherwise appropriated and as he thinks necessary for investigation and proving evidence when he has reason to believe that any closed bank, savings bank, trust company, or loan association incorporated under Minnesota laws has violated any provision of the law.(13) The county board may set aside not more than two thousand dollars as a contingent fund for defraying such expenses as preparing and trying criminal cases, conducting investigations of the grand jury, and for paying necessary expenses of the county attorney incurred in the business of the county. Disbursements from these funds are made upon the written request of the county attorney by the auditor's warrant, countersigned by the judge of the district court.(14)

The county attorney is required by law to keep a book known as the register of criminal actions, in which he enters the title and history of every criminal case prosecuted by him or reported to him by a justice of the peace, together with an accounting of the costs and fines, if any.(15)

On or before the first day of January in each year, the county attorney must transmit to the attorney general of the state a transcript of the register of criminal actions, giving the result of all criminal cases officially handled by his office during the preceding year, together with the amount of the costs of the prosecutions. Upon reception of the report the attorney general must send a receipt to the county attorney, which is filed with the county auditor. When the auditor receives the receipt, he issues a warrant to the county attorney for his salary for the preceding month.(16)

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(12) General Laws, 1860, 95; Mason's, 1927, sec. 930.
(13) Mason's, 1927, 184, sec. 934-1.
(14) Ibid., 1927, 183, 184, sec. 934.
(15) Ibid., 1927, 183, sec. 927.
(16) Ibid., 1927, 183, sec. 928.

On or before the first day of January in each year, the attorney files with the auditor a written account, verified by his affidavit, to be filed with the account, of all moneys received by him during the preceding year through his office for fines, recognizances, forfeitures, penalties, and costs. He must specify in this account the name of the person from whom he has received such money, the particular amount paid by each person, and the cause for which the payment was made. At the same time, or previously, the county attorney may pay to the county treasurer all such money, and take a receipt and duplicate for the amount, which latter receipt must be filed with the county auditor.(17) In case the attorney refuses or neglects to pay over or account for the moneys received by him, the auditor must bring suit upon the bond of such attorney for recovery of money unpaid by him, together with damages incurred. (18)

The first district attorney for Scott County was Luther M. Brown.(19)

The attorney's records are found in the office in the courthouse and in his professional office at Belle Plaine. A Register of Criminal Actions is also found in the office of the clerk of the district court.

(See also entries 234, 237.)

328. REGISTER OF CRIMINAL ACTIONS, 1884--. 2 vols. (1, 2).
Register of criminal cases, showing date, name of defendant, date of crime, number of case, date of trial, and disposition. Arr. chron. by date of entry. Indexed alph. by names of defendants. Handwritten under pr. heads. 151 pp. 15 x 17 x 1½. Vol. 1, 1884-1903, attorney's off., courthouse; vol. 2, 1903--, attorney's off., Belle Plaine.

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(17) General Laws, 1860, 95, 96; Mason's, 1927, 183, sec. 932.
(18) General Laws, 1860, 96.
(19) Information from the county office.

(Next entry 329, p. 218)

X. BOARD OF EQUALIZATION

The important function of tax equalization was provided for by the first territorial legislature. The county commissioners were directed at their annual meeting in July to receive and inspect the assessment rolls returned by the assessors, and if found correct, or after correction, the roll was signed by the chairman and attested by the clerk, after which it was filed by the register of deeds for the guidance of future assessors.(1)

In 1860 the commissioners and auditor were specifically designated a board of equalization, and directed to meet annually on the first Tuesday in September for the equalization of all real property assessments.(2) In 1867, the law was extended to include all personal property.(3) The time of meeting was changed in 1874 to the fourth Monday in July. Since 1877 the board assembles annually the third Monday in July and adjourns from time to time, in accordance with the amount of business, for a session of not over a four weeks period.(4)

At each annual session the auditor lays before the board the returns, as corrected by the local boards of review, the assessor, or himself, of the real property and each article or class of personal property and money and credits made by the township or district assessors of the county. The board members then equalize the valuation so that each tract or lot of real property and each article or class of personal property is entered on the tax list at what appears to them to be its true value. The assessment, however, is based upon a percentage of the valuation after certain exemptions have been made.

For purposes of equalization the board members are required to observe the following rules: They shall raise the valuation of such tracts and lots of real property as in their opinion have been returned below their true value to such price or sum as they believe to be the true value of the property, and agreeable to the rules prescribed by the law for the valuation; they shall reduce the valuation of such tracts and lots as, in their opinion, have been returned above their true value as compared with the average valuation of real property of the county, having due regard to the relative situation, quality of soil, improvements, and natural and artificial advantage possessed by each

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(1) Laws, 1849, 55, ch. 19, sec. 25.
(2) General Laws, 1860, 29-31, ch. 1, sec. 27.
(3) Ibid., 1867, 76-84.
(4) Ibid., 1874, 38, sec. 69; 1877, 31, sec. 12.

tract or lot; they shall raise the valuation of each class of personal property which, in their opinion, is returned below its true value to such sum as they believe to be the true and full value, and they shall raise the aggregate value of personal property of individuals, firms, or corporations, whenever they believe that such aggregate valuation, as returned, is less than the true value of the taxable personal property possessed by the individual, firm, or corporation, to such sum as they believe was the true and full value; they shall reduce the valuation of each class of personal property enumerated which, in their opinion, is returned above its true and full value to such sum as they believe to be the true and full value; they shall not reduce the aggregate value of the real property or the aggregate value of personal property of their county below the aggregate value as returned by the assessors with the additions made by the auditor, but they may raise the aggregate valuation of such real property and of each class of personal property of the county, or of any township or district in the county, whenever they believe the same is below the true and full value of the property or class of property, to such aggregate amount as they believe to be the true and full value.(5)

The board of equalization, though composed of the county commissioners and their clerk, acts independently and is governed in the performance of its duties by the provisions of the statutes relating to the specific subject and is in no measure affected or controlled by the statutes prescribing the duties of the board of county commissioners. The board has no authority to make an original assessment or listing of property on the tax books. Its duties are restricted to the review and equalization of assessments already made. Any taxpayer may appear before the board for the purpose not only of correcting errors in the assessment of his property, but also of calling attention to omissions of the property of others from the tax lists or its incorrect valuation.(6)

After the final adjournment of the annual session the board must not change the tax lists in any way. The auditor keeps an accurate record of the proceedings and orders of the board, which record is published and a copy transmitted to the state auditor with the abstract of assessment. The auditor makes

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(5) General Laws, 1860, 21, 29-31; 1867, 76-94; Mason's Minnesota Statutes, 1927, secs. 770, 1986, 2034-2054.
(6) General Statutes, 1923, 276, sec. 2049. See also historical introduction under auditor and taxation under governmental organization.

duplicate abstracts of corrected lists, one of which he files in his office and one of which he forwards to the state auditor. On or before the first Tuesday of March in each odd-numbered year the auditor makes out and transmits to each township or district clerk in his county a certified copy or abstract of the real estate assessment roll of such township or district, as equalized by the county and state boards of equalization.(7)

Scott County records show that on July 14, 1855, the assessment rolls were returned and examined by the county commissioners.(8) At a meeting of the board on September 16, 1859, a committee was appointed for the equalizing of taxes. The first mention of a board of equalization is on September 4, 1860.(9)

The records of the board of equalization are entered in the minute book of the county commissioners and kept in the auditor's office vault.(10)

XI. TREASURER

The territorial legislature in 1849 provided for the annual election of a treasurer in each organized county,(1) and required that such person be a resident.(2) When Minnesota became a state in 1858, the term was lengthened to two years,(3) and in 1913 was extended to four years.(4)

Before entering upon the duties of his office, the treasurer must take the oath required by law and give a bond to the state in such sum as the county board directs.(5) The bond, approved

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(7) Mason's, 1927, 499, 500.
(8) County Commissioners' Records, A:42.
(9) County Commissioners' Records, B:31, 112.
(10) See entry 1, ante.
(1) Laws, 1849, 6, ch. 3, sec. 2.
(2) Laws, 1849, 78, ch. 22, sec. 1.
(3) General Laws, 1858, 208, 209, ch. 75.
(4) Laws, 1913, 668, ch. 458; 1915, 233, 234, ch. 168.
(5) Laws, 1849, 78, ch. 22, sec. 2; General Laws, 1858, 208, ch. 75, art. 6; Mason's Minnesota Statutes, 1927, sec. 840; Laws, 1935, 273, sec. 273; Mason's, 1938 supplement, sec. 840.

by the county board as to amount and surety, together with the oath of office, is filed for record in the office of the register of deeds, after which it is forwarded to the secretary of state who, after approval as to form by the attorney general, files it.(6)

The treasurer may be removed by the governor for cause, but has the right of appeal to the district and supreme courts.(7) A vacancy in the office is filled by appointment by the county commissioners for the remainder of the unexpired term.(8) No person holding the office of county attorney, sheriff, register of deeds, auditor, or county commissioner at the time of any election is eligible to the office of county treasurer.(9)

In the performance of his duties as the receiver, custodian, and disburser of all county funds, the treasurer must keep an accurate account of all moneys received and paid out by him, showing the date, the amount, by whom or to whom paid, and to which of the separate funds the amount is to be credited or charged. No money received for taxes charged in the duplicate of the current year may be entered by the treasurer on his account with the county until he has made his annual settlement with the auditor and county commissioners.(10)

Aside from receiving all county taxes, and all fines, forfeitures, and penalties paid by any person for the use of the county, the treasurer is also the receiver of all other taxes extended on the tax lists of the county, whether state, city, village, township, school, poor relief, road, bridge, or special purpose. As such he acts as agent of the state and of

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(6) General Laws, 1874, 233, 234, ch. 89, secs. 1, 2; Revised Laws, 1905, sec. 608; Laws, 1909, 106, ch. 115; Mason's, 1927, sec. 981.
(7) General Laws, 1860, 70, ch. 3, sec. 15; 1868, 67, ch. 45, sec. 3; 1881, 40, ch. 41, sec. 1; Laws, 1913, 670, ch. 462; Mason's, 1927, ch. 47, sec. 6954; 157 Minnesota Reports, 15.
(8) Laws, 1849, 78, 79, ch. 22, sec. 3; Revised Statutes, 1851, 64, sec. 3; Mason's, 1927, ch. 7, sec. 659; 1938 supplement, sec. 659; 189 Minnesota Reports, 216, 248.
(9) Laws, 1849, 78, 79, ch. 22, sec. 3.
(10) Laws, 1849, 79, secs. 4, 5; General Laws, 1860, 65-78, ch. 3; Laws, 1899, 24-26, ch. 31, secs. 1-8; Mason's, 1927, sec. 842; 1938 supplement, see note to sec. 846 for further light and many opinions.

the municipalities and school districts.(11) The duty of collecting taxes, which he took over in 1860,(12) had previously been performed by the sheriff(13) and the local collectors or treasurers. The sheriff continued to be the collector of delinquent personal taxes as at present.(14)

The auditor delivers the assessment lists to the treasurer on or before January 1 in each year, and files the receipt. These lists are the authority for the treasurer to receive and collect the taxes levied therein, and until such delivery the taxes are not due nor has the treasurer any authority to receive them. Special assessments are collected in the same manner as general taxes.(15)

The treasurer's tax receipts are made in triplicate. One is delivered to the taxpayer, one is retained by the treasurer, and the other, at the end of the month, is delivered to the auditor who charges the amount to the treasurer and files and preserves the receipt for a certain number of years. The treasurer causes to be printed on the back of all tax receipts, a statement showing the number of mills of the current tax apportioned to the state, county, city, village, township, or school district, and his distribution as made upon this basis. (16)

On the last day of February, May, and October in each year, the treasurer makes a full settlement with the auditor of his receipts and collections for all purposes, from the date of the last settlement. Included in the settlement is a separate return

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(11) Laws, 1849, 78, 79, ch. 22, secs. 4-9; General Laws, 1860, 65-78, secs. 1-48 (sec. 48 repeals former laws with reservations); Mason's, 1927, sec. 2080; 83 Minnesota Reports, 512; 88 Minnesota Reports, 346; 90 American Decennial Digest, 278.

(12) General Laws, 1860, 68, ch. 3, sec. 9; Mason's, 1927, sec. 2075; 1938 supplement, sec. 2075 for attorney general's opinion.

(13) Laws, 1849, 80, ch. 23, sec. 2; Public Statutes, 1849-58, 161, ch. 7, sec. 48.

(14) Mason's, 1927, sec. 2098.

(15) Mason's, 1927, sec. 2074; 126 Minnesota Reports, 272; 195 Minnesota Reports, 313.

(16) General Laws, 1872, 89; 1873, 224, 225; Mason's, 1927, sec. 2394-3; Laws, 1933, 690, ch. 405, sec. 3.

of the collections made on the current tax lists, showing the amount collected on account of the funds included in the list. (17)

At the same time, he and the auditor make distribution of all undistributed funds in the treasury, apportioning them as provided by law and placing them to the credit of the state, township, city, village, or school district, and to each county fund. Immediately after each settlement, the county treasurer pays over to the treasurer of each township, city, village, or school district, on the warrant of the county auditor, all moneys received by him arising from taxes levied and collected belonging to the municipality or school district, and delivers up all orders and other evidences of indebtedness, taking triplicate receipts for them. One receipt is filed with the county auditor and one is returned to the clerk of the township, city, village, or school district to which payment was made.(18)

All moneys belonging to the county are paid out upon the order of the county board, signed by the chairman and attested by the county auditor, or upon the warrant of the county auditor upon the presentation to him of the proper certificate of the person or tribunal allowing the same.

When any order or warrant drawn on him as treasurer is presented for payment, if there is money in the treasury for the purpose, the county treasurer, by issuing a check, redeems the order or warrant and writes across it the word "redeemed", the date of redemption, and his official signature.(19) In theory, warrants are paid only from the cash on hand in the fund upon which it is properly drawn, but, with the approval of the auditor, the treasurer, in order to save payment of interest on county warrants drawn upon a fund in which there is temporarily insufficient money in the treasury to redeem them, may borrow temporarily from any other revenue fund in the county treasury in which there is a sufficient balance to care for its needs.(20) Warrants are redeemed in the order in which they

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(17) General Laws, 1869, 45, 46, ch. 34, sec. 1; 1875, 42, ch. 5, secs. 19-22; Laws, 1911, 303, ch. 225, sec. 1.
(18) Mason's, 1927, secs. 2083, 2084. See Mason's, 1938 supplement, for opinion of attorney general.
(19) Revised Laws, 1905, sec. 524; General Statutes, 1913, sec. 870; Laws, 1919, 28, 29, ch. 31, sec. 1; General Statutes, 1923, 869; Laws, 1925, 171, 172, ch. 176, sec. 1.
(20) Laws, 1925, 397, 398, ch. 318, secs. 1, 2.

are presented to the treasurer, regardless of the order in which they are issued.

On any day that the treasurer redeems any order or warrant, he deposits such order and warrant with the auditor and takes that officer's receipt for them. The treasurer then enters the receipt, with the date of payment, in the register of orders paid and credits himself daily upon his journal and ledger with the amount. The auditor cancels the amount immediately upon his register of orders issued, and at the close of the day credits the treasurer with the amount upon his journal and ledger.(21)

No county treasurer or deputy may contract for or purchase any orders or warrants issued by the county, or the orders or warrants of any city, township, or other body politic for which he is collector of taxes, at any discount whatever. If any county treasurer loans any money belonging to his county, with or without interest, or uses the money for his own individual purposes, he is liable to a forfeiture of such a sum of money which may be recovered in a civil action instituted by the state in behalf of the county, city, township, or body politic injured.(22)

All moneys due the state, arising either from the collection of taxes or from other sources, are paid upon the draft of the state auditor drawn in favor of the state treasurer. The county auditor issues his warrant in favor of the state for the amount of the draft, and the county treasurer pays the warrant without endorsement by the state treasurer or other state official. A duplicate copy of the receipt for payment of the draft is forwarded by the state treasurer to the county auditor, who preserves it and credits the county treasurer with the amount.(23)

The treasurer's books, accounts, vouchers, and all moneys remaining in the treasury are at all times subject to the inspection and examination of the county commissioners. On the last day of February and October in each year, the treasurer must exhibit his accounts since the last settlement, balanced to the day exhibited, to the county board and county auditor,

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(21) Mason's, 1927, sec. 870.
(22) Laws, 1849, 80, ch. 22, sec. 10; Mason's, 1927, sec. 867.
(23) General Laws, 1860, 67, 68, ch. 3, secs. 6, 7; Revised Laws, 1905, 89, 90, sec. 498; General Statutes, 1913, sec. 845; Laws, 1919, 488, ch. 417, sec. 1.

or, if the board is not in session, to the county auditor alone, showing all the moneys received and disbursed by him since his last settlement, and the balance remaining in his hands.(24)

Since 1873 it has been the duty of the board of audit, which is composed of the chairman of the county board, the county auditor, and the clerk of the district court, to meet at least three times in each year, without previous notice to the treasurer, to examine and audit the accounts, books, and vouchers of the county treasurer and to count and ascertain the kind, description, and amount of funds in the treasury of the county. A report of the examination and audit is made to the county board at its first meeting following the audit, and the result is published. The board of audit also witnesses and attests the transfer and delivery of accounts, books, vouchers, and funds by each outgoing treasurer to his successor in office.(25)

All county funds, as soon as received, must be deposited by the county treasurer in the name of the county in one or more banks designated by the board of audit.(26) Every bank or banker, before being designated as a depository, must deposit with the county treasurer a bond, to be approved by the county board.(27) The county treasurer may not deposit any public funds in his own name or in any other capacity than as treasurer. The public funds shall at all times be kept separate

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(24) General Statutes, 1866, 121, 122, ch. 8, title 5, sec. 132; Mason's, 1927, sec. 857; 22 Minnesota Reports, 97, 111.

(25) General Laws, 1873, 156-159, ch. 38, secs. 1-4; Revised Laws, 1905, sec. 499; 94 Minnesota Reports, 196; Laws, 1909, 25, 26, ch. 22, sec. 1; 124 Minnesota Reports, 139; General Statutes, 1913, 184, sec. 846; Mason's, 1927, sec. 844; 1938 supplement, sec. 844, citing opinion of attorney general; also 182 Minnesota Reports, 10. See also historical introduction under board of audit.

(26) General Statutes, 1878, 145, ch. 8, title 5, sec. 150; General Laws, 1881, 157, ch. 124, sec. 1; 1883, ch. 51, sec. 1; General Statutes, 1894, 212, ch. 8, title 5, sec. 729; 1895, 591, ch. 323, sec. 1; Revised Laws, 1905, 90, sec. 500; Laws, 1907, 488, 489, ch. 352; Mason's, 1927, sec. 846; see Mason's, 1938 supplement, for opinion of attorney general.

(27) Revised Laws, 1905, 90, sec. 502; Laws, 1909, 114, ch. 124, sec. 1; General Statutes, 1913, sec. 848; Mason's, 1927, sec. 848; 166 Minnesota Reports, 109; Mason's, 1938 supplement, sec. 848, citing 172 Minnesota Reports, 80.

from any private funds of the treasurer or any other person, and all amounts found at any time in any county treasury are deemed public funds, and, if in excess of the amount properly called for by the auditor's and treasurer's books and accounts, are turned over to the county revenue fund.(28)

All payments by treasurers of counties having designated depositories at their county seat, and by all others as far as practicable, must be made by checks upon the depositories. Each depository must furnish the county auditor a true and itemized statement of the treasurer's account on the first day of each month. The statement is filed and preserved in the auditor's office. All sums of interest accrued upon the funds deposited are credited to the deposit account on the first day of each month for the month preceding, and a monthly statement, as computed from the daily balances by the bank or banker, is rendered by the depository to the county auditor on the first day of each month. The auditor charges the county treasurer with the amount and credits it to the revenue fund of the county.(29)

If any county treasurer fails to make return or settlement, or to pay over all money with which he stands charged at the time and in the manner prescribed by law, the county auditor, on receiving instructions for that purpose from the state auditor or from the county board, causes an action to be commenced against the treasurer and his sureties in the district court, and judgment may be rendered in court against them for the amount due from the treasurer.(30)

From territorial days until recently the treasurer was sealer of weights and measurers for the county, cooperating with the state treasurer who was the state sealer. Each treasurer kept a set of standard weights, measures, and scales. In 1911, a state department of weights and measures was created by the legislature, and all county treasurers were required to deliver

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(28) Mason's, 1927, secs. 851, 852; 1938 supplement, secs. 851, 852, notes.
(29) General Laws, 1873, 224, 225, ch. 53, sec. 1; Mason's, 1927, sec. 853; 68 Minnesota Reports, 409; Mason's, 1938 supplement, sec. 853, notes.
(30) Mason's, 1927, sec. 859; 42 Minnesota Reports, 57; 82 Minnesota Reports, 431.

to the department all weights, measures, and scales in their official custody.(31)

On going out of office, the county treasurer must deliver to his successor in office all the public money, books, accounts, papers, and documents in his possession.(32) In the interests of economizing space, the treasurer may give the auditor permission to destroy all county warrants paid more than twenty years, and all checks paid more than ten years.(33)

H. H. Spencer, the first treasurer of Scott County, was chosen at the general election in October 1853. In July 1854, Mr. Spencer resigned and the county board appointed Benjamin F. Davis.(34)

The treasurer's records are kept in his office, office vault, basement vault, and dungeon vault.

General Accounting
(See also entries 20-28.)

329. DAY BOOK (to County Treasurer), 1861-72. 2 vols. Record of delinquent tax collections and collections from sales of land for delinquent taxes, and the apportionment of same to school district, township, county, and state funds. Arr. chron. by date of entry. No index. Handwritten. 383 to 650 pp. 12½ x 7½ x 1¼ to 17 x 11½ x 3. 1861-66, bsmt. va.; 1865-72, dungeon va.

330. TREASURER'S DAILY ACCOUNT BOOK, 1877-78. 1 vol. Record of receipts and disbursements, showing date, amounts credited to various funds, and amounts disbursed in state and county orders. Arr. chron. by date of entry. No index. Handwritten. 360 pp. (79 pp. used) 12½ x 8 x 1. Dungeon va.

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(31) Public Statutes, 1849-58, 372, 373, ch. 27, secs. 4, 8; Laws, 1895, 746, ch. 338, secs. 1-3; 1907, 497, ch. 357; 1911, 197-200, ch. 156; 121 Minnesota Reports, 202; 124 Minnesota Reports, 307; Mason's, 1927, sec. 5281.
(32) Mason's, 1927, sec. 872-2.
(33) Laws, 1927, 392, 393, ch. 275, sec. 1; 1929, 72, ch. 66, sec. 1.
(34) County Commissioners' Proceedings, A:18.

331. DAILY BALANCE BOOK, March-August 1878. 1 vol.
Record of daily balances, showing date, balance on hand beginning of day, total collections, total disbursements, and balance on hand at close of business. Arr. chron. by date of entry. No index. Handwritten. 150 pp. (25 pp. used) 12 x 5 x 1. Dungeon va.

332. TREASURER'S DAILY CASH, 1901--. 6 vols. (1-6).
Record of receipts and payments, showing last cash balance, total receipts, total payments, list of depositories with last cash balance in each, amount of deposits, amount of withdrawals, present balance in depositories, cash on hand in office, and total cash on hand. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 315 pp. 12 x 10 x 1¼ to 12 x 11½ x 1¼. 3 vols., 1901-24, dungeon va.; 3 vols., 1924--, off. va.

333. JOURNAL, 1877-94, 1933--. 4 vols. (three unnumbered; 2).
Record of all receipts and apportionment to the various funds, showing date, from whom received, amount, amount apportioned to each fund, total receipts for each fund, and grand total of all receipts. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 298 to 480 pp. 14¼ x 9 x 1¼ to 16¼ x 11 x 1½. 2 vols., 1877-94, dungeon va.; 2 vols., 1933--, off. va.

334. LEDGER, 1858-75. 1 vol. (A).
A ledger of county accounts, showing name of account, date, debit or credit, page of journal, amount including tax reductions, overcharges, refunds, delinquent taxes, orders paid to commissioners, to state treasurer, and apportionment to school districts. Arr. by accounts, chron. by date of entry thereunder. Indexed alph. by names of accounts. Handwritten. 462 pp. 14 x 9 x 2. Dungeon va.

335. TREASURER'S LEDGER, 1860-75, 1877-90, 1893--. 10 vols. (four unlettered; A-C, E-G).
Accounts with school districts, townships, cities, and villages, showing date, items, debit and credit amounts, and balances, treasurer's account, current school, poor, road and bridge, redemption, township, city, village, and incidental funds, state and school revenue, inheritance and mortgage registry tax, school aid, hunting license, refunding, bonded indebtedness, federal road refunding, gross earning, and title assurance. Arr. by accounts, chron. by date of entry thereunder. Indexed alph. by names of accounts. Handwritten under pr. heads.

254 to 644 pp. 13 x 8¼ x 1 to 18 x 12½ x 3¼. 9 vols., four unlettered, A-C, E, F, 1860-75, 1877-90, 1893-1926, dungeon va.; vol. G, 1927--, off.

336. DAILY BALANCES, 1916-17. 1 vol.
Original and duplicate statements of receipts and disbursements, showing date, total collections, current tax, prior tax, ditch fund, total county payments, revenue, poor, road and bridge fund, and state lands. Arr. chron. by date of entry. No index. Handwritten on pr. fm. Binding poor. 75 pp. 8½ x 13 x ¼. Dungeon va.

337. TREASURER'S TRIAL BALANCE, 1913--. 2 vols. (A, B).
Monthly balance of all county accounts taken from ledger, showing date, list of all accounts, balance on hand in each account at beginning of month, total collections for each account, total disbursements for each account, balance on hand in each account at end of month, grand total of all collections and disbursements, and total balance. Arr. by months. No index. Handwritten on pr. fm. 160 pp. 14 x 11 x 1. Vol. A, 1913-26, dungeon va.; vol. B, 1926--, off.

Collections and Disbursements
(See also entries 29-36.)

338. ACCOUNT OF TOWN TAX, 1859-62. 1 vol.
Record of tax collections and payments of same to township treasurers, showing name of township, name of taxpayer, receipt number, amount of tax, total collections, and date and amount of each payment. Arr. by twps., chron. by date of payment thereunder. No index. Handwritten. 75 pp. 13¼ x 8 x ½. Dungeon va.
For subsequent records see entry 39.

339. TREASURER'S TAX COLLECTIONS, 1904--.
5 vols. (A, B; one unlettered; D, E).
Record of undistributed tax collections, showing date, name of township, receipt number, name of taxpayer, amount of tax, interest, penalty, and total. Arr. alph. by name of twp., chron. by date of entry thereunder. No index. Handwritten under pr. heads. 480 pp. 16¼ x 12 x 2. Off. and dungeon vas.

340. CURRENT ABSTRACT RECORD, 1923--. 1 vol. (2).
Summary of real estate and personal property tax collections, showing name of assessment district, name of taxpayer, description of property, amount of tax, and date paid. Arr. by

twps., villages, and cities, alph. by name of taxpayer thereunder. No index. Handwritten under pr. heads. 120 pp. 17 x 15 x 1½. Off. va.

341. REGISTER OF DAILY COLLECTIONS, 1909--. 6 vols. (D-I). Title varies: Treasurer's Collection Register, 1 vol., 1909-29.
Register of daily tax collections, showing receipt number, date, amount of current tax, penalty, personal property tax, tax of former years, private redemption, public lands, and miscellaneous collections, total collections for each, grand total of all collections, amount of payments made to the various accounts, and total payments. Arr. num. by receipt no. No index. Handwritten under pr. heads. 250 to 476 pp. 10 x 14 x 1 to 16½ x 14 x 2½. Off.

342. RECEIPTS AND DISBURSEMENTS, 1933--. 3 vols. (dated).
Duplicate of treasurer's daily report to county auditor relative to collections and payments, showing type of taxes collected, amount, to what fund credited, total collections, total payments, date, and signature of treasurer. Arr. chron. by date of report. No index. Handwritten on pr. fm. 250 pp. 8½ x 15 x ½. Off.

343. SCHOOL LANDS, 1871-79, 1882-1901, 1904-25. 6 vols. (five unlettered; E). Discontinued.
Record of school land sales, showing date, description of property, certificate number, name of purchaser, amount of sale, date of sale, why sold, amount of principal due, and amount of payment. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 30 pp. 14½ x 9½ x ½. Dungeon va.

344. TREASURER'S REPORT OF MONEY RECEIVED AND DISBURSED, 1879-87. 1 vol.
Record of orders and warrants redeemed by treasurer, showing fund from which drawn, date, and total amounts of orders and warrants. Arr. chron. by date of entry. No index. Handwritten. 300 pp. 11 x 8 x 1¼. Dungeon va.

Taxes

Tax Lists

(See also entries 53-59.)

345. TAX LIST OF POWER AND LIGHT COMPANIES, 1925--. 1 vol.
Summary of taxes levied on power and light companies, showing

date, name and address of company assessed, amount of assessed value, average tax rate for all purposes in mills, amount of tax, date of payment, number of receipt, auditor's statement number, and remarks. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 50 pp. 6 x 11 x ½. Off.
For related records see entry 354.

346. CURRENT TAX RECORD, 1926--. 1 vol.
Summary of taxes levied, showing name of assessment district, list of property owners, description of property, and amount of tax. Arr. by twps., villages, and cities, alph. by name of taxpayer thereunder. No index. Handwritten on pr. fm. 110 pp. 18¼ x 13 x 2. Off.

Delinquent Taxes

(See also entries 66-73.)

347. LIST OF DELINQUENT PERSONAL TAX, 1860-66. 1 vol.
Summary of delinquent personal property taxes, showing name of assessment district, name of taxpayer, years delinquent, and amount of delinquent taxes. Arr. by twps., villages, and cities, alph. by name of taxpayer thereunder. No index. Handwritten. 100 pp. 12 x 7½ x ½. Dungeon va.

348. DELINQUENT TAX SALES BOOK, 1858-68. 2 vols.
Record of delinquent tax sales, showing name of tax certificate holder, description of tract, number of certificate, interest and charges, amount of sale, date of sale, name of purchaser, date and to whom certificate was assigned, when and by whom redeemed, and amount of redemption. Arr. num. by certificate no. No index. Handwritten. Condition poor. 120 pp. 12 x 7½ x ½ to 13 x 8 x ½. Dungeon va.

349. STUB BOOK FOR DELINQUENT TAXES, 1874-78. 1 vol. (labeled by inclusive statement nos.).
Stubs of statements issued for delinquent taxes, showing date, statement number, name of owner, description of property, amount of tax, and treasurer's fee. Arr. num. by statement no. No index. Handwritten on pr. fm. 300 pp. 14 x 5¼ x 1½. Dungeon va.
For related records see entry 66.

350. DELINQUENT TAX RECEIPTS, 1884-99, 1902-11, 1918--. 22 vols. (labeled by inclusive receipt nos.).
Duplicate receipts for taxes on lands delinquent or sold to the state, showing receipt number, date, from whom received, amount

description of property, years of delinquent taxes, amount of tax judgment, costs, penalty, interest, total, and signature of treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. 200 to 250 pp. 6 x 7 x 1 to 6 x 18 x 2. 12 vols., 1884-99, 1902-11, 1918-21, dungeon va.; 10 vols., 1921--, off. va.

For related records see entry 66.

Redemptions

(See also entries 87-92.)

351. REDEMPTION RECEIPTS OF LAND, 1908--. 3 vols. (labeled by inclusive receipt nos.).

Duplicate redemption receipts of lands sold for taxes to an actual purchaser, showing receipt number, date, from whom received, amount, name of purchaser, description of property, certificate number, year, amount of judgment, interest, sheriff's and printer's fees, total, and signature of treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. 250 pp. 10 x 11 x 1½. Off. va.

Mortgage Taxes

352. MORTGAGE TAX REGISTER, 1907--. 2 vols. (one unnumbered; 2).

Record of mortgage registry tax collections, showing date, receipt number, name of mortgagee, kind of instrument, whether mortgage, contract, assignment, or satisfaction, description of property, assessed valuation, school district number, amount involved, amount of tax collected, by whom paid, amount of tax due other counties, and remarks. Arr. num. by receipt no. No index. Handwritten on pr. fm. 81 to 240 pp. 17 x 14½ x 1 to 18 x 11½ x 1. 1 vol., 1907-18, dungeon va.; 1 vol., 1918--, off.

353. MORTGAGE REGISTRY TAX RECEIPTS, 1907--. 26 vols. Title varies: Mortgage Tax Receipts, 13 vols., 1907-14, 1920-23, 1930-36.

Triplicates of receipts issued for mortgage registry tax, showing number, date, to whom issued, description of property encumbered, school district number, amount of mortgage, and amount of tax. Arr. num. by receipt no. No index. Handwritten on pr. fm. 150 pp. 10½ x 10 x 1. 22 vols., 1907-32, dungeon va.; 2 vols., 1932-35, bsmt. va.; 2 vols., 1935--, off.

For duplicate receipts see entry 65.

Receipts

354. TAX RECEIPTS, ELECTRIC LIGHT AND POWER COMPANIES, SCOTT COUNTY, 1925--. 3 vols.
Duplicates of receipts issued for taxes paid by electric light and power companies as assessed by the Minnesota Tax Commission and certified to the county auditor, showing receipt number, date, name of company, amount of tax, and signatures of auditor and treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. Approx. 100 pp. 6 x 9 x ½ to 6 x 11 x ½. 2 vols., 1925-30, dungeon va.; 1 vol., 1930--, off.
For related records see entry 345.

355. TREASURER'S TAX RECEIPTS, March-May 1874. 1 vol.
Stub record of receipts issued upon payment of taxes, showing number, date, to whom issued, description of property, and amount of tax. Arr. num. by receipt no. No index. Handwritten on pr. fm. Approx. 300 pp. 17 x 4 x 1½. Dungeon va.
For prior and subsequent records see entry 63.

356. INHERITANCE TAX RECEIPTS, 1909--. 5 vols.
Duplicates of receipts for inheritance tax paid in accordance with order of probate court, showing receipt number, date, to whom issued, amount of tax, name of estate, date of court order, and signature of treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. 75 pp. 8 x 11 x 1 to 8 x 12 x 1. 3 vols., 1909-23, dungeon va.; 2 vols., 1924--, off.
For prior and realted records see entries 314, 358.

357. INHERITANCE TAX RECORD, June 1913-February 1914. 1 vol.
Record of proceedings in determining inheritance taxes, showing date, name of decedent, date of death, place of death, name of executor or administrator, value of property, claims against estate, expenses of last sickness and funeral paid by the estate, administration expenses; heirs at law, with name, residence, relationship, amount of inheritance tax assessed, date of payment; legatees and devisees by will, showing name and relationship, if any, to decedent, residence, amount of legacy, estimated value of real property devised, inheritance tax assessed, and date of payment of tax. Arr. chron. by date of entry. Indexed alph. by names of decedents. Handwritten on pr. fm. 240 pp. 18¼ x 13 x 2. Dungeon va.
For subsequent and related records see entries 172, 314.

Miscellaneous Receipts
(See also entries 164-166.)

358. MISCELLANEOUS RECEIPTS, 1905--. 16 vols.
Receipts for miscellaneous collections, including licenses for liquor, hunting, auctioneers, and peddlers, automobile inspection fees, interest on county deposits, fines, wolf bounty rewards, inheritance tax, boarding prisoners in jail, appointments, and state aid for rural schools, showing receipt number, amount received, from whom received, purpose, date, total amount credited, and signature of treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. 150 pp. 7¼ x 11 x 1 to 11 x 8½ x 1. Dungeon va. and off.
For related records see entry 356.

359. STATEMENT FOR TOWN CLERK, 1916--. 4 vols.
Title varies: Statement of Town Funds, 1 vol., 1916-21.
Duplicate receipts for funds drawn by township treasurers, showing receipt number, withdrawals by treasurer of township for township revenue tax, road and bridge tax, township dragging, and township interest on bonds. Arr. num. by receipt no. No index. Handwritten on pr. fm. 75 to 175 pp. 12 x 9¼ x 1 to 12½ x 10 x 1¼. 1 vol., 1916-21, dungeon va.; 3 vols., 1922--, off.

360. TREASURER'S STATEMENT OF SCHOOL FUNDS, 1920--. 7 vols.
Duplicate copies of receipts issued for funds drawn by treasurers of school districts from state school fund, county school fund, special tax for teaching, special tax for building, and state aid; volumes from 1934--, also contain treasurer's receipts for payments to township clerks. Arr. num. by receipt no. No index. Handwritten on pr. fm. Approx. 200 pp. 8¼ x 7¼ x 1 to 12 x 9½ x 1½. 4 vols., 1920-31, dungeon va.; 2 vols., 1932-37, off. va.; 1 vol., 1937--, off.

361. SCHOOL FUNDS, 1883-1926. 3 vols.
(labeled by inclusive receipt nos.).
Duplicate receipts issued to purchasers of school lands upon payments, showing receipt number, certificate number, description of property, principal, interest, penalty, total, date, to whom issued, and signature of treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. 339 pp. 8¼ x 7¼ x 1. Dungeon va.

362. RECEIPTS FOR COUNTY DEPOSITORY COLLATERAL, REAL ESTATE MORTGAGES, May 1933--. 1 vol.
Receipts for collateral received from banks under Laws, 1933, chapter 41, showing amount, date, receipt number, and name of mortgagor of real estate. Arr. num. by receipt no. No index. Handwritten on pr. fm. 55 pp. 5¼ x 10 x ¼. Off.

Special Funds
(See also entries 166, 385, 386.)

363. COLLECTION REGISTER OF TEACHERS' PENSION AND RETIREMENT FUND, 1916--. 1 vol.
Record of funds collected for teachers' pension and retirement fund, showing school district number, name of teacher, amount of salary, amount deducted, and date. Arr. by months, chron. by date of entry thereunder. No index. Handwritten under pr. heads. Binding poor. 212 pp. 14 x 8½ x 1½. Off.

364. LEDGER OF TEACHERS' PENSION FUND, 1916--. 1 vol.
Record of collections for teachers' pension and retirement fund, showing district number, name of teacher, amount paid, and date. Arr. num. by district no., chron. by date of collection thereunder. No index. Handwritten under pr. heads. 120 pp. 16 x 11½ x 1¼. Off.

365. TREASURER'S RECEIPTS TEACHERS' INSURANCE AND RETIREMENT FUND, 1916--. 5 vols. (labeled by inclusive receipt nos.).
Duplicates of receipts issued to school district treasurers for funds deducted from teachers' salaries for teachers' insurance and retirement fund, showing receipt number, date, district number, name of teacher, salary, amount deducted, and signature of county treasurer. Arr. num. by receipt no. No index. Handwritten on pr. fm. Approx. 125 pp. 11 x 8½ x 1. 4 vols., 1916-34, dungeon va.; 1 vol., 1934--, off.

Warrant Registers

366. TREASURER'S WARRANT REGISTER, 1900--. 8 vols. (three unnumbered; 4-8).
Record of warrants issued by auditor, showing date, warrant number, to whom issued, name of bank, check number, amount, date returned, and list of funds charged, such as, county revenue fund, poor, road and bridge, redemption fund, state lands and interest, ditch fund, state revenue and school fund, refund,

county attorney, contingent fund, wolf bounty, incidental, miscellaneous, school district number, township, city, or village, inheritance tax, and remarks. Arr. num. by warrant no. No index. Handwritten under pr. heads. 240 to 320 pp. 21 x 16¼ x 2 to 18 x 12 x 2¼. 1 vol., 1900-1907, auditor's bsmt. va.; 2 vols., 1908-18, dungeon va.; 5 vols., 1919--, off.
For related records see entries 37, 114.

367. UNPAID WARRANT REGISTER, 1917-31. 1 vol. (1).
Record of warrants not paid when presented, showing warrant number, date of issue, date of presentation, to whom issued, postoffice address, date of notification, fund charged, total paid, and date of payment. Arr. chron. by date of warrant. No index. Handwritten under pr. heads. 40 pp. 17¼ x 15¼ x 1¼. Off.

368. TREASURER'S AUXILIARY WARRANT REGISTER, 1936--. 1 vol. (A).
Record of warrants issued for old age assistance, showing case number, date, warrant number, to whom issued, amount, date assistance was received, total for year, cumulative record of amounts paid in previous years forwarded, and total amount paid in each case. Arr. num. by case no., chron. by date of warrant thereunder. No index. Handwritten under pr. heads. 125 pp. 17 x 16 x 2. Off. va.
For related records see entries 38, 405.

Bank Accounts and Checks

369. BANK ACCOUNT, 1917-18, 1927--. 4 vols. (T; three unlettered).
Record of checks issued and deposits made with various banks, showing name of depository, check number, date, to whom issued, amount, amount of deposit, and balance on hand in bank. Arr. alph. by name of depository, chron. by date of entry thereunder. No index. Handwritten under pr. heads. 400 to 500 pp. 16 x 11½ x 2 to 16⅔ x 12 x 2⅓. 1 vol., 1917-18, dungeon va.; 3 vols., 1927--, off.

370. DEPOSIT CHECKS, 1926--. 11 vols.
Duplicates of deposit slips, showing date, name of depository, list of checks and amounts, items of cash, and total deposit. Arr. chron. by date of deposit. No index. Handwritten and typed. 50 loose-leaf pp. 6 x 14 x ⅛. 9 vols., 1926-29, dungeon va.; 2 vols., 1930--, off.

371. TREASURER'S CHECK STUBS, 1894-1916, 1929-31. 21 vols. Stub record of checks issued, showing warrant number, check number, date, to whom issued, purpose, fund charged, amount, and name of depository. Arr. num. by check no. No index. Handwritten on pr. fm. 175 to 250 pp. 6 x 12½ x 1½ to 15½ x 4 x 1½. Dungeon va.

372. CHECK STUBS, MISCELLANEOUS LETTERS, 1874-80. 1 pkg. Stubs of checks issued by treasurer; also includes miscellaneous correspondence relative to claims. Arr. by years, chron. by date of paper thereunder. No index. Handwritten. 9 x 7 x 5. Auditor's bsmt. va.

XII. BOARD OF AUDIT

The county board of auditors, commonly called the board of audit, is composed of the chairman of the board of county commissioners, the county auditor, and the clerk of the district court. It dates from its creation by the legislature in 1873.(1) Previous to that, territorial law had charged the county board with the sole responsibility of examining county accounts, and early state laws permitted the commissioners to delegate the duty to a committee.(2)

The chairman of the board of county commissioners is chairman of the board of audit, and the clerk of the district court is its clerk. At the call of the chairman, or at the joint call of the other two members, the board meets at least three times in each year, without previous notice to the county treasurer, to examine and audit his accounts, books, and vouchers, and to count and ascertain the amount and description of the funds in the county treasury. A report of the examination and audit is made to the county board at its first meeting following the audit, and the result is published in at least one newspaper in the county.

At the close of each treasurer's term the board of audit witnesses and attests the transfer and delivery of funds, books,

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(1) General Laws, 1873, 156, 157; (mentioned as "board of audit", General Statutes, 1923, sec. 845.)

(2) Laws, 1849, 53, ch. 19, sec. 13, amended, General Statutes, 1866, 121.

accounts, and vouchers to his successor, and makes a report of the transfer to the county board.(3)

The board of audit designates the bank, or banks, in which the county treasurer is to deposit the county funds and passes upon the adequacy of the bond which the depository submits.(4) The board also examines the town cemetery fund in the custody of the treasurer.

The county commissioners of Scott County resolved, on October 21, 1867, that the board be a committee of the whole to examine the county treasury.(5) A board of audit in Scott County was established according to the legislative act of 1873, and met for the first time on April 6, 1874.(6)

Separate records of the board of audit are found in the clerk of court's office.

373. BOARD OF AUDIT RECORD, 1909--. 2 vols. (one dated; B). Title varies: Minutes of the Board of Audit, 1 vol., 1909-12.

Minutes of proceedings of the board of audit, showing date of meeting, place, members present, financial condition of county upon examination of treasurer's books, debits, credits, and balances of all county funds, income and expenditures, and total of all funds in the treasury and depositories; also includes copies of notices and affidavits of proposals concerning depositories for county funds. Arr. chron. by date of meeting. No index. Handwritten. 162 to 271 pp. 15½ x 9 x 1 to 18 x 12 x 2.

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(3) Revised Laws, 1905, sec. 499, amended, Laws, 1909, ch. 22, sec. 1; Revised Laws, 1905, sec. 508, amended, Laws, 1913, ch. 357, sec. 1; Revised Laws, 1905, sec. 509; General Statutes, 1913, sec. 856; Mason's Minnesota Statutes, 1927, secs. 844, 854, 855.

(4) Revised Laws, 1905, sec. 500, amended, Laws, 1907, ch. 357, sec. 1; Revised Laws, 1905, sec. 502, amended, Laws, 1909, ch. 124, sec. 1; General Statutes, 1913, secs. 847, 849; Mason's, 1927, secs. 846, 848.

(5) County Commissioners' Records, C:50.

(6) Ibid., D:167.

(Next entry 374, p. 235)

XIII. SUPERINTENDENT OF SCHOOLS

The office of county superintendent of schools, with highly centralized jurisdiction over all the rural schools of the county not under the immediate charge of a city or district superintendent,(1) is a gradual outgrowth from pioneer conditions when the people of each district had the sole responsibility for the education of their youth.

The original system of common schools, as outlined by the territorial legislature, provided that every township containing not less than five families should constitute a school district. The voters of each such district were authorized to elect three trustees who were given the responsibility of maintaining the school and the sole authority to examine and hire teachers.(2) A forward step was taken in 1861 when the examination of teachers and the general supervision of their work was concentrated in a district superintendent appointed by the trustees of each school district.(3)

The field of supervision was broadened in 1862 when a school examiner, appointed by the county commissioners, was authorized for each commissioner district. His duties were similar to those of the present superintendent of schools.(4) County boards, in counties which chose to operate under the law of 1862, were authorized in 1864 to appoint a county superintendent.(5) An act of 1869 made the appointment obligatory in all counties.(6) The office was made elective in seven counties, including Scott, in 1876,(7) and in all counties in 1877.(8) The original term of two years was changed to four years in 1913.(9)

The county superintendent may be removed by the governor for cause, but has the right of appeal to the district and supreme courts.(10) Vacancies in the office are filled by the county commissioners for the unexpired term.(11)

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(1) Mason's Minnesota Statutes, 1927, secs. 2973-2980.
(2) Laws, 1849, 41-43; Revised Statutes, 1851, 42.
(3) General Laws, 1861, 55-74.
(4) Ibid., 1862, 26.
(5) Ibid., 1864, 17-20.
(6) Ibid., 1869, 2, 3.
(7) Special Laws, 1876, 186, ch. 97.
(8) General Laws, 1877, 133.
(9) Laws, 1913, 668, ch. 458, amended, 1915, 233, ch. 168.
(10) Mason's, 1927, 47, sec. 6954.
(11) Mason's, 1927, sec. 659.

Authorized by a constitutional amendment adopted November 5, 1875, the legislature in 1878 granted to women the right to vote on district school matters and to hold district school offices. In 1885 the right to vote for, and to hold the office of, county superintendent was also granted.(12)

The county superintendent, when physically unable to visit his schools, may appoint a deputy superintendent for not more than sixty days in any year.(13)

The general duties of the county superintendent remain much the same as those prescribed for the first superintendents in 1864. He visits and instructs each school under his supervision at least once in each term, encourages teachers' associations, advises teachers and school boards in the best methods of instruction and the most approved plans for building and improving schoolhouses and grounds, stimulates school officers to the prompt and proper discharge of their duties, and receives and files all reports required to be made to him. He also attends to such other rural educational matters as he deems proper or are required by the state commissioner of education under whose general supervision his duties are performed.(14)

All blanks and circulars furnished by the state board of education for the use of teachers are forwarded to the county superintendent and distributed by him. After such blanks are properly filled out, he renders to the state board, on or before the twentieth day of September of each year, a report containing tabulated extracts from the reports of the teachers and clerks and such other matters as may be called for in the blanks, as well as a written statement of the condition and prospects of the schools under his charge. On or before the last Wednesday in October, he files with the auditor an abstract of the number of pupils of school age enrolled in the schools of each district and entitled to be counted for apportionment from the current school fund and of the number of months that each school was in session.(15) The tabulated abstract of the district clerk's reports for the state board was prepared by the county auditor from 1862 to 1864.(16)

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(12) Constitution of the State of Minnesota, art. 7, sec. 8; General Laws, 1875, 18, 19, ch. 2, secs. 1-3; 1878, ch. 71; 1885, 275, ch. 204, secs. 1-5.
(13) General Laws, 1877, 136, 137.
(14) Mason's, 1927, sec. 2973.
(15) Mason's, 1927, secs. 2976-2978.
(16) General Laws, 1862, 23, 24, secs. 21, 22; 1864, 20, sec. 8.

Teachers' institutes, which have been a feature of the county educational program since 1877, were formerly the responsibility of the county superintendent.(17) At the present time the staff of the state commissioner of education supervises the institute, while the superintendent looks after such details as making the necessary local arrangements and requiring the attendance of all teachers of ungraded elementary schools. The superintendent himself is required to participate actively in the program.(18)

A meeting of the district officers may also be called by the county superintendent for a one day session of consultation and advice with regard to school statistics, methods of school organization, and other matters relating to the public schools.(19)

The county superintendent, on or before September first each year, reports under oath to the board of trustees of the teachers' retirement fund, giving an itemized summary of the statements received by him from the school boards and other educational managing bodies, showing the total amount withheld from the teachers' salaries for the benefit of the fund.(20)

For many years and under frequently changing regulations, it was the duty of the county superintendent to examine prospective teachers, and to issue, renew, or revoke certificates. He was required to keep a careful record of his proceedings in this matter and include a transcript in his annual report to the state superintendent, together with all examination fees and fees for the renewal or extension of teachers' certificates. The county superintendent no longer conducts examinations for, or issues certificates to, teachers. Only the state board may now issue, renew, or extend teaching certificates, and the state commissioner of education receives the fees. On written complaint of the district school board, the county superintendent, or the commissioner of education, the state board may suspend or revoke a teacher's certificate or license to teach.(21)

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(17) General Laws, 1877, 133, 134, secs. 3, 5.
(18) Laws, 1905, 233, sec. 2, amended, 1913, 514, sec. 1; 1925, 100, 101.
(19) Mason's, 1927, sec. 2974.
(20) Laws, 1915, 270, ch. 199, sec. 3; Mason's, 1927, sec. 2938; Laws, 1931, 562, sec. 6.
(21) General Laws, 1864, 20, secs. 5-8; 1877, 133-136, secs. 3-8, amended Laws, 1899, 104, 105, sec. 5; Revised Laws, 1905, secs. 1379, 1381, 1387; Laws, 1925, 129; 1927, 248; 1929, 553, 557-559, secs. 3, 10, 11, 14, repeals General Statutes, 1923, secs. 2900, 2907, 2911, 2915-2927, 2932-2935, 3058.

In certain instances, the office of county superintendent of schools may be abolished. Counties having less than seven organized school districts may be organized as a county school district. Upon completion of the organization of such a county district and the election of a superintendent, the office of county superintendent of schools ceases to exist from the January next following, and the functions and duties of the county superintendent are then performed by the superintendent of the county district.(22)

Application to the commissioner of education by a school district desiring to secure state aid as a consolidated district is accompanied by a plat prepared by the county superintendent. (23) Petitions to a county board requesting that certain territory be made a common or independent school district are presented to the county superintendent for his written approval or disapproval.(24) Petitions for the dissolution of common or independent school districts also bear the county superintendent's approval if they meet it.(25)

The legislative act providing for the establishment and maintenance of county schools of agriculture and domestic economy created a county school board to take charge of and control matters relating to organization, equipment, and maintenance of such schools, except as otherwise provided by law. The superintendent of the county or district in which such a school is located serves on this board and is its secretary ex-officio.(26) When two or more counties unite to establish an agricultural school the foregoing provisions apply to the organization of the county school board, provided that the superintendent of the county in which the school is located shall be a member of the board and its secretary ex-officio.(27)

Existing legislation also provides for county boards of education for unorganized territory of the county where such unorganized territory is situated. This board provides for the

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(22) Laws, 1929, 13, sec. 7, repealing Laws, 1927, 134, 135; Mason's, 1936 supplement, sec. 2780-14.
(23) Laws, 1915, 336, 337, sec. 2, amended, 1921, 281.
(24) Revised Laws, 1905, secs. 1281, 1282; Laws, 1907, 119, 120, sec. 1; General Statutes, 1913, sec. 2672, amended, Laws, 1923, 67, sec. 1. See also Mason's, 1927, secs. 2743, 2744.
(25) Mason's, 1927, sec. 2863.
(26) Laws, 1905, 498, sec. 2; Mason's, 1927, sec. 2885.
(27) Laws, 1905, 499, sec. 3; Mason's, 1927, sec. 2886.

education of children residing in unorganized territory. Where such boards exist the county superintendent is a member and serves as clerk of the board.(28)

Legislation of 1919 and 1921 permitted the board of county commissioners to detail nurses to work under the county superintendent of schools, the county child welfare board, or the county health officer.(29) Legislation of 1925 provided that the board of county commissioners may detail nurses to act only under the county board of health or a nursing committee of which the county superintendent is a member.(30)

On retirement from office, the county superintendent is required to deliver to the auditor of his county, for his successor, records, lists of clerks of the school districts, names of persons under contract to teach, blanks, registers, copies of laws, and other state and county property.(31)

Peter Rader, a county commissioner, took charge of the public schools of Scott County from February 1863 to December 1864. On December 28, 1864, in accordance with a legislative act passed that year, the commissioners appointed William Henry as superintendent of schools. Mr. Henry served eight months and was followed in September 1865 by J. L. McDonald. A year later the board again appointed Mr. Henry. Mr. McDonald contended that the appointment was not legal because made at a special meeting, and refused to give up the office. Mr. Henry proved equally stubborn and both men proceeded to exercise the duties of the position.(32) The possibility of contesting the legality of county board appointments was obliterated in 1876 when the special law made the office elective in Scott and six other counties.

The records of the superintendent are found in his office in the courthouse.

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(28) Laws, 1907, 86, ch. 76; 1921, secs. 1-3; Mason's, 1927, secs. 2850-2852.
(29) Laws, 1919, 35, 36; 1921, 192, 193.
(30) Laws, 1925, 233. See also Mason's, 1927, sec. 5353, sub. div. 6.
(31) Mason's, 1927, sec. 961.
(32) County Commissioners' Record, B:278; C:73.

Superintendent of Schools - Annual Reports; State Aid; List of Teachers, School Officers, Applicants; Examinations of Schools (374-377)

Annual Reports

374. ANNUAL REPORTS, 1923--. 2 file drawers.
Clerks' annual reports, school census, teachers' annual reports, applications for state aid, superintendent's annual reports, classification of pupils, and scholastic reports. Arr. alph. by subjects, chron. by date of report thereunder. No index. Handwritten and typed. 11 x 16 x 25. Off.
For prior and related records see entries 105, 375, 378, 387, 388.

State Aid

375. (RETURNS OF LOCAL EXAMINATIONS), 1923-25. 1 vol.
Applications for state aid from county superintendent to state board of education, including a summary of annual reports for ungraded elementary schools; also contains information relative to returns of local examinations. Arr. num. by school district no. No index. Handwritten. Writing illegible. 125 pp. 16 x 11½ x 1. Off.
For subsequent records see entry 374.

List of Teachers, School Officers, Applicants

376. COUNTY SUPERINTENDENT'S RECORD, 1906-16. 1 vol.
Record of examinations of applicants for schools and teachers employed, showing date, name of teacher, nationality, grade and kind of certificate, term, district number, and salary; also includes a register of school officers, showing district number, names and addresses of officers, and terms of each. Arr. num. by school district no. No index. Handwritten. 450 pp. 15½ x 10 x 2. Off.
For prior and subsequent records see entries 382-384.

Examinations of Schools

377. EXAMINATIONS OF RURAL SCHOOLS, 1903-11. 1 vol.
Discontinued.
General report of each school when visited by superintendent, showing school district number, rating, location, and condition. Arr. num. by school district no. No index. Handwritten. 200 pp. 14 x 9 x 1. Off.

Superintendent of Schools - Clerks' Reports; Teachers' Reports; Record of Teachers (378-382)

Clerk' Reports

378. CLERK'S BOOK OF RECORDS, 1912-26. 2 vols.
Record of annual school meetings, teachers' contracts, receipts, clerk's register, and disbursements, showing date, place, names of teachers, and school district number. Arr. num. by district no. No index. Handwritten. Condition poor. 273 to 300 pp. 13½ x 8½ x 1. Off.
For subsequent records see entry 374.

Teachers' Reports

379. TEACHERS' MONTHLY REPORTS, 1934--.
1 file drawer.
Reports to superintendent relative to attendance, showing name of school, district number, name of teacher, names of pupils, ages, sex, dates of attendance, and remarks. Arr. num. by district no., chron. by date of report thereunder. No index. Handwritten on pr. fm. 11 x 16 x 25. Off.
For prior records see entry 380.

380. TERM INVENTORY, MINNESOTA PUPILS' RECORDS, AND TEACHERS' PROGRAM REPORTS, 1913-33. 3 vols.
Discontinued.
Record of teachers' monthly reports of pupils' records, showing district number, name of pupil, age, sex, rating, grade in each subject, attendance, teacher's name, and date. Arr. num. by district no., chron. by date of report thereunder. No index. Handwritten under pr. heads. Approx. 100 pp. 13½ x 8 x ½. Off.
For subsequent records see entry 379.

381. COMPLETE TERM REGISTER FOR COUNTY AND VILLAGE SCHOOLS, 1903-9. 1 vol. Discontinued.
Superintendent's school record, showing district number, names of teachers, certification, training, years of experience, salaries; school census and record of attendance, apportionment and attendance, enrollment by ages, enrollment by grades, transfers, number of pupils entering for first time, number of eighth grade pupils graduated, and list of graduates. Arr. num. by district no. No index. Handwritten. Approx. 100 pp. 8½ x 14 x 1. Off.

Record of Teachers
(See also entry 376.)

382. CANDIDATES FOR TEACHERS, 1899-1907. 1 vol.
Record of teachers' examinations to retain certificates, showing

name and address of teacher, date of examination, and results. Arr. chron. by date of examination. Indexed alph. by names of teachers. Handwritten. Approx. 200 pp. 14½ x 9 x 3. Off.

383. TEACHERS' CERTIFICATIONS AND RENEWALS, 1935--. 1 file drawer.
Papers on teachers' certifications and renewals, showing name of teacher, date, and qualifications. Arr. chron. by date of paper. No index. Handwritten on pr. fm. 6 x 8½ x 16. Off.

384. TEACHERS' RECORDS, 1908--. 1 file drawer.
Card record of teachers now employed or who have taught in county schools, showing name of teacher, district number, years taught, salary, date term began, months of school term, amount of retirement fund deduction, and kind of certificate. Arr. alph. by name of teacher. No index. Handwritten on pr. fm. 6 x 4½ x 16. Off.

Teachers' Pension Record
(See also entries 166, 363-365.)

385. TEACHERS' PENSION RECORDS, 1915-30. 1 vol.
Record of salary deductions for teachers' pension, showing date, length of service, salary, age of teacher, name, address, and amount of assessment. Arr. by years. Indexed alph. by names of teachers. Handwritten under pr. heads. 300 pp. 15 x 10 x 2½. Off.

386. TEACHERS' RECORD ON RETIREMENT FUND, 1929--. 1 file drawer.
Copy of superintendent's report to state retirement fund association relative to teachers' retirement fund assessments, showing year, name and address of teacher, salary, amount of deductions, amount of payments, number of months in school year, number of teachers paying assessments, number exempt, whether elective or compulsory, district number, years in district, amount reported by superintendent, and amount reported by treasurer. Arr. by years. No index. Handwritten on pr. fm. 11 x 16 x 25. Off.

Records of Pupils

387. SCHOLASTIC RECORDS, 1917--. 1 file drawer.
Card record of pupils' school histories, showing name and address of pupil, age, sex, grade, and list of subjects and rating in each. Arr. alph. by name of pupil. No index. Handwritten on pr. fm. 6 x 5 x 16. Off.
For related records see entry 374.

388. CLASSIFICATION OF PUPILS, 1928-29. 1 vol.
Record of pupils' classifications in schools, showing work accomplished, name, age, sex, school district number, rating, and grade of pupil. Arr. num. by district no., alph. by name of pupil thereunder. No index. Handwritten on pr. fm. 50 pp. 8 x 14 x ½. Off.
For related and subsequent records see entry 374.

389. STATE BOARD EXAMINATION PAPERS, 1936--.
2 file drawers.
Term examination papers, showing name of pupil, district number, name of school, date of examination, subjects, and rating. Papers destroyed at end of each year. Arr. num. by district no. No index. Handwritten. 11 x 16 x 25. Off.

390. COUNTY GRADUATES, 1917--. 1 file drawer.
Record cards of county graduates, showing name, address, district number, year entered school, year graduated, and list of subjects with final grades. Arr. alph. by name of pupil. No index. Handwritten on pr. fm. Drawer, 6 x 5 x 16; cards, 5 x 6. Off.

Health Records

391. HEALTH RECORDS, 1930. 1 file drawer.
Report of county nurse's examinations of pupils, showing school, name of pupil, date, and health report. Arr. alph. by name of pupil. No index. Handwritten on pr. fm. 8½ x 6 x 16. Off.

County and State Fair Records

392. COUNTY AND STATE FAIR RECORDS, 1935--. 1 file drawer.
Reports of rural grade schools, declamation contests held in districts, and activities connected with county fairs and state fair. Arr. alph. by subject. No index. Handwritten and typed. 16 x 16 x 25. Off.

Correspondence

393. CORRESPONDENCE, 1936--. 1 file drawer.
Letters between parents and school officers relating to tuition-paying pupils. Arr. alph. by name of correspondent. No index. Handwritten and typed. 11 x 16 x 25. Off.

394. LETTERS FROM DEPARTMENT OF EDUCATION, 1935--.
1 file drawer.
General correspondence relative to child welfare and school activities. Arr. alph. by name of correspondent. No index. Handwritten and typed. 11 x 16 x 25. Off.

395. BUSINESS CORRESPONDENCE, BILLS, 1935--.
1 file drawer.
General correspondence relative to orders and bills with firms dealing in school supplies. Arr. alph. by name of correspondent. No index. Handwritten and typed. 11 x 16 x 25. Off.

XIV. COUNTY WELFARE BOARD

The county welfare board of Scott County, as well as of the other counties in the state, was established on July 1, 1937, in accordance with a legislative act of the previous April. Its functions are to supervise, in cooperation with the state board of control, the administration of all forms of public welfare and public assistance, both of children and adults, thus consolidating under the supervision of one local agency certain welfare programs which previously had been supervised by several local agencies. Such programs include the categories of direct relief, old age assistance, and institutional and medical care of the indigent and sick (formerly supervised by the county commissioners and extra-legal boards of public welfare), aid to dependent children (mothers' aid) by the juvenile court; veterans' relief by the state division of soldiers' welfare; and general child welfare by the child welfare board, cooperating with the schools, the courts, and the state board of control.(1)

The local board also cooperates with the state and federal agencies in the supervision of rural resettlement, reemployment, drouth relief, flood control, erosion control, and any other project which will aid in conservation or development of the natural resources of the state and in promoting and conserving the health, safety, and the general welfare of the people of the state.(2) Aid to the blind is administered by the state,

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(1) Laws, 1937, 463-467, ch. 343, secs. 1-7.
(2) Laws, 1937, extra session, 159, 161, ch. 89, secs. 3, 4, 11.

and application for such aid is made directly to the state board of control, but the local welfare board is consulted in an advisory capacity.(3)

The county welfare board is composed of five members. Three are chosen by the county board. One of these must be, and two or three may be, from its own membership. The other two are appointed by the state board of control from a list submitted by the county board. One must be a woman. The term of office is two years. The oath of office is filed in the office of the county auditor. A chairman, vice-chairman, and secretary are elected at the annual meeting on the first Thursday after the first Monday in July of each year.(4)

The administration of the duties of the welfare board and the direct supervision over the investigation of cases is given to the executive secretary, who, together with such assistants and clerical help as may be found necessary, is appointed by the welfare board in accordance with the rules and regulations adopted by the state board of control.(5) The executive secretary is directly under the supervision of the local board and is responsible to it. At least once a month the board meets with him to hear his report and advise with him.(6)

The welfare board is required by law to submit to the board of county commissioners, on or before July 1 of each year, an estimate of the amount which, in addition to allotments from the federal government and the state, will be needed to carry on its work the coming year. If the commissioners approve, they levy the amount as the county poor fund tax; if not, they confer with the welfare board and reach a compromise figure which they proceed to levy.(7) This levy includes not only the county's share of the various relief payments and expenses, but also the salaries of the relief employees and office expenses.(8)

The original laws relating to poor relief in Minnesota were derived from the Wisconsin laws which in turn were modeled after the Pennsylvania code as adopted in the laws of the Northwest Territory. Although numerous changes have been made from time to time in the administration of relief, some of the early statutes still remain in force. Two different systems have been

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(3) Laws, 1937, 442-450, ch. 324.
(4) Laws, 1937, 463-465, ch. 343, secs. 1a, 2, 4.
(5) Laws, 1937, 465, 466, ch. 343, sec. 4.
(6) Laws, 1937, 467, 468, ch. 343, sec. 9.
(7) Laws, 1937, 467, ch. 343, sec. 8.
(8) Laws, 1937, 466, ch. 343, secs. 5, 6.

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followed in Minnesota in administering aid to the indigent, the county system by which the county at large assumes responsibility for the support of all the poor within its borders, and the township system by which the township or municipality is responsible for its own poor.

The Pennsylvania code provided for a township system of caring for the poor and required that the justices of the peace appoint overseers of the poor in each township. Wisconsin laws changed this method of relief to the county system, which Minnesota inherited. Upon becoming a state in 1858, Minnesota experimented for six years with a modified form of the township system of aid by which the county board looked after the poor with funds provided by the township or municipality in which the pauper resided.(9) In 1864 the counties were again established as the only unit for administering relief.(10) Laws of 1877 permitted certain counties to establish a township system,(11) and in 1889 the choice between the two systems was made optional in all counties,(12) until May 1934 when a County Emergency Relief Committee was set up as an extra-legal agency of the State Emergency Relief Administration.(13) The enactment of the federal social security act in 1935 brought fundamental revisions in the Minnesota welfare statutes and a reorganization of local relief machinery, and two years later the functions exercised by the county relief committee were assumed by the county welfare board.

In the early days, the dependent poor were usually "boarded out" in the home of a resident who was paid from public funds. As soon as poor farms were established, the institutional care they provided became the principal method of extending relief, though other types of limited temporary aid were sometimes given if in the opinion of the commissioners the circumstances warranted.(14) In more recent years direct individual relief is being substituted for institutional care.

For many years the American almshouse, poorhouse, poor farm, and privately supported institutions for the aged were often the only recourse for destitute old persons. After the Civil War an attempt was made in Minnesota to establish an old age pension

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(9) General Laws, 1858, 207.
(10) Ibid., 1864, 57, sec. 19.
(11) Special Laws, 1877, 293, 304.
(12) General Laws, 1889, 283.
(13) Laws, 1933, 93-95, ch. 89.
(14) Laws, 1849, 128-130, ch. 60, regulated, Revised Statutes, 1851, 121, ch. 16. See also General Statutes, 1878, 279-284, ch. 15, amended, General Laws, 1893, 315, 316.

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system, but the time was evidently not yet ripe for such a movement. Sentiment grew, however, in favor of a better solution of the aid problem, although it was not until recent years that a few of the states began acting upon county old age pensions. At this time changing economic and industrial conditions caused a great increase of indigent old people, most of them of increasingly higher type than their predecessors, thereby forcibly bringing to the attention of the public certain very serious objections to the antiquated system of taking care of the aged poor.

The problem was brought to the attention of the Minnesota legislature in 1927. Pursuant to the resolution adopted by a unanimous vote of the senate April 21st of that year, the president of the senate appointed an interim committee composed of five senators to investigate the general question of old age pensions. The committee made a survey in each county in Minnesota regarding the cost of maintaining poor farms and poorhouses in the state. A study was also made of other states where the old age pension system was in operation.

A record of the interim committee and a legislative bill in favor of the pension system of caring for the aged poor was presented by the committee to the senate of the forty-sixth session of the Minnesota state legislature in 1929. This bill was modeled after the Wisconsin old age pension law passed in May 1925. The bill as drawn up by this committee was, with the exception of centralizing authority for its administration in the state board of control, adopted in its entirety and enacted into law by the legislature March 1, 1929. The committee was not in favor of a federal or state old age pension system, although the Wisconsin law, after which the bill was modeled, provided that the state pay one-third of the amount expended by the counties.

The old age pension act of 1929, amended by acts of 1931 and 1933, authorized any county in the state to establish an old age pension system if favorably voted upon by the majority of electors, pursuant to a resolution made by the county board to establish such a system. The county was given permission to abandon the system after a year or more by a majority vote of the county board. Applications were required to be filed with the district judge of the county in which the applicant resided, and the district judge was designated to direct the investigation and to issue the certificate. Applicants had to be 70 years of age and upward and were to receive not more than one dollar per

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day. The law required property of the applicant to be deeded to the county according to the decision of the district court.(15)

In 1935 the state legislature approved an amendatory act attempting to establish a state-wide pension system,(16) but this act was declared unconstitutional by the attorney general and was superseded by an act passed at a special session the following year.

The new act, approved January 27, 1936, established a state-wide system for assistance to aged persons in need, providing for the levy and collection of taxes, for the payment by the counties and state, and for the allocation and disbursement of federal appropriations for old age assistance. The term used in this act was "old age assistance" and not "old age pensions." County agencies, meaning the board of county commissioners or any other such board under the supervision of the county board, or a poor commission in counties having such poor commission, were designated and authorized to administer the old age assistance system in their respective counties under the supervision of the state agency. The county agency could appoint some other person or other agency to investigate applications, et cetera. Persons 65 years of age and upward are eligible to apply for old age assistance.(17)

On July 1, 1937, the duties involved in carrying out the provisions of the old age assistance act were transferred from the local administrative authority of the board of county commissioners to the county welfare board cooperating with the state board of control.

The old age pension act of 1929, ch. 47, is suspended during the continuance in effect of the act of January 27, 1936, but the latter act provides that the act of 1929 shall be revived in the event that the federal social security act (Mason's United States Code Annotated, title 42, ch. 7) is repealed or held unconstitutional by the supreme court of the United States.(18)

During the earlier period of Minnesota history the general laws pertaining to the relief and support of the poor also applied to children who were destitute orphans or whose parents

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(15) Laws, 1929, 42-48; 1931, 157-161; 1933, 569, 570.
(16) Laws, 1935, 643-652.
(17) Laws, 1935-36 extra session, 122-137.
(18) Laws, 1935-36 extra session, 122; Mason's Minnesota Statutes, 1936 supplement, 409, 419.

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or other relations were unable or refused to support them.(19) Destitute children were also housed at the poor farm with indigent adults until they were old enough to be bound out as apprentices.

In 1861 trustees of incorporated homes or orphan asylums were permitted by law, upon authorization by the county commissioners or the judge of probate or by a written statement signed by the parent or guardian, to bind out children placed in their custody to some suitable employment, in the same manner as overseers of the poor were by law authorized to bind out poor and indigent children. The child thus apprenticed was bound by the laws pertaining to master and servant.(20) The large number of soldiers' orphans left destitute after the Civil War required frequent legislation for their relief in the years between 1865 and 1879.(21)

Legislation relating to orphan asylums passed in 1866 authorized any orphan asylum to have charge, custody, and control of any destitute children under twenty-one years of age, whose parents were dead or incompetent, or who had abandoned or neglected to provide for such children. Such authority was given the orphan asylum with the consent of the county commissioners or any two of the commissioners of the county in which the child resided. This law also permitted the orphan asylum to bind out any child in its custody to some suitable employment until the age of eighteen, if a girl, and until the age of twenty-one, if a boy. The proper judicial tribunal, however, could award the custody of any orphan child to any person in its discretion.(22)

An amendment in 1881 provided that the judge of probate should appoint an orphan asylum as guardian during the minority of any destitute minor residing or found in the county. The orphan asylum could also assume guardianship of a destitute minor with the consent of the parents. Upon reaching the age of fourteen years the child could choose his own guardian.(23)

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(19) Laws, 1849, 129, ch. 60, sec. 5, regulated, Revised Statutes, 1851, 121, ch. 16, sec. 5; General Statutes, 1866, 206, ch. 15, sec. 16.
(20) General Laws, 1861, 183, ch. 57; General Statutes, 1866, 206, ch. 15, sec. 16.
(21) General Laws, 1865, 12, ch. 3; 1869, 24, ch. 19; 1873, 149, ch. 31; 1874, 136, ch. 21; 1879, 91, ch. 94.
(22) Ibid., 1866, 31, 32, ch. 9; General Statutes, 1866, 275, secs. 65-67.
(23) General Laws, 1881, 71, ch. 54.

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Since the opening of the state public school in 1886, dependent and neglected children between the ages of three and fourteen years have been sent there until private homes could be found for them. The supervision and government of the state school at its establishment by a legislative act of 1885 were vested in a board of control appointed by the governor. This board of control became the legal guardian of all children who were inmates of the school, and this is also true of the present State Board of Control which now has supervision of the school. In order for a child to receive admission to the school, at least two county commissioners were required to present an application in writing to the judge of probate and to bring the child before the judge for examination as to his alleged dependence. After the hearing the judge of probate was authorized to appoint the school as guardian for any such child. The present procedure is similar. Under the provisions of the law of 1885 no child has been permitted to be maintained in the county poorhouse.(24) Dependent or neglected children for whom place could not be found in the state school were placed in orphan homes or otherwise cared for as provided for by earlier laws.

The placement of orphans or abandoned, neglected, or grossly ill-treated children under two years of age in private homes by legal adoption, or otherwise, was regulated by the legislature in 1893. Any society organized for the purpose of securing homes for such children had to meet the approval of the governor and the judges of the supreme court. The society entered into contracts with the persons taking the children but not legally adopting them. Such contracts provided for the proper care of the child until the age of sixteen years, if a girl, and eighteen years, if a boy. Upon the complaint or petition in writing of two of the county commissioners, or two township supervisors, or two aldermen of any city, or two officers of any incorporated village or township, concerning any dependent or neglected child under two years of age, it became the duty of the judge of probate to investigate the facts in the case and at his discretion, after examination held in court, the child was turned over to the care and custody of the society for the purpose of adoption into a private family, or otherwise, as the society deemed best. If the parents or guardian refused to surrender the child the judge of probate was empowered to direct the sheriff of the county to take possession of the child and deliver him to the society or its agent. When requested by the judge of probate it became the duty of the county attorney to attend the examination on behalf

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(24) General Laws, 1885, 172, ch. 146; Mason's, 1927, 731, 733, secs. 3175, 3186.

of the petitioners. The judge of probate could also request witnesses and any county commissioner to appear in behalf of the child. The record of the proceedings show who appeared at the hearing.(25)

Legislation in 1909 gave the judge of probate in counties of less than 50,000 jurisdiction over the appointment of guardians for dependent, neglected, or delinquent children and over the proceedings against persons at fault for such dependency, neglect, or delinquency. A record of the proceedings was kept by the judge. Legislation in 1917 provided that all cases of dependent, neglected, or delinquent children in counties of less than thirty-three thousand and counties of the seventh judicial district, be tried in the probate court sitting as a juvenile court. In the larger counties the juvenile court authority remained with the district court.(26)

The recommendation of the White House Conference on children's welfare in 1909, that no child should be taken out of his own home merely because of poverty, was followed in Minnesota in 1913 by the passage of an act providing for county aid to mothers of dependent and neglected children, regulated by the board consisting of the five county commissioners, the judge of probate, and the county attorney, and administered by the judge of probate.

The mothers' pension act of 1913 soon proved inadequate, and in 1917 the legislature, acting upon the recommendations of a special child welfare commission appointed by the governor for the purpose of proposing improvements in the state laws relating to child welfare, enacted thirty-five different measures upon this subject. Among the duties imposed upon the counties was that of providing pensions or aid to mothers for the proper support of their children. The age limit was raised to sixteen years.(27)

Under this act applications for aid were made at the probate office. A hearing in probate court took place with the mother and the commissioner of her district present. If the grant was approved, an order was made out in the form of a

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(25) General Laws, 1893, 113-116, ch. 17.
(26) Laws, 1909, 269-274, amended, Laws, 1913, 356-362; 1917, ch. 233, sec. 1; ch. 237, secs. 1-11; ch. 397, secs. 1-17.
(27) Laws, 1913, 148; Compilation of the Laws of Minnesota Relating to Children (St. Paul, 1917) and later editions; Laws, 1917, 337, amended, 1919, 348; 1921, 673; 1923, 214.

triplicate receipt. The mother's receipt was returned to the probate office. The county auditor made out warrants which were mailed out from the probate office. After the warrants were cashed by the mother they were returned to the auditor's office where they were kept on file.

By the act of 1917, it became the duty of the counties to pay the pension allowances, but at the end of the year each county was supposed to collect from the state treasury one-third of the amount paid out. On this assumption a number of the counties embarked upon a pension program. It was soon discovered, however, that the legislature had made no appropriation for the purpose. To remedy the situation the legislature in 1927 repealed the two sections of the act which obligated the state to pay two-thirds, but appropriated an amount to meet the claims of thirty-four counties for money already expended under those sections. In the succeeding years each county was obliged to pay the full amount of its mothers' pension allowance from its own revenue. State cooperation continued, but without financial aid, until 1937.(28)

Both public and private welfare services set up in the state for the care of children were threatened by the depression. The Minnesota State Conference of Social Work, therefore, in 1933, appointed a committee to study the services to children; authorized a state-wide survey of these services covering both public and private agencies, mothers' allowances, and institutions; and included a review of the laws of the state as they related to the care of children. Wide discrepancies in the application of mothers' allowance laws were found in the various counties, proving the need for state supervision and state aid.

The findings resulted in plans being made to present a legislative program before the 1935 legislature. That body adopted the program in its entirety, thereby fulfilling the need for a broader and more flexible law. The federal social security act placed the age limit at sixteen years. The state, however, gives the county additional aid for dependent children between sixteen and eighteen years of age. The 1935 legislature also passed chapter 326, amending section 8683, of Mason's Minnesota Statutes, of 1927, and adding two new sections, 8683-1 and 8683-2, to provide state supervision and state participation under the state board of control to meet the provisions of Title IV of the social security act which Congress passed and approved on August 14, 1935.(29)

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(28) Laws, 1927, 488, 544; 1937, 657, ch. 438, sec. 14.
(29) Laws, 1935, 596-599.

County Welfare Board (Next entry 396, p. 251)

In 1937, in order more fully to meet the requirements of the federal social security act, it was considered necessary to pass further state legislation revising the former laws regarding aid to dependent children by taking mothers' aid out of the juvenile court and placing it in the general category of aid to dependent children under the local administrative authority of the county welfare board. The welfare board makes the investigations of the cases and decides the amount of aid, if granted, after a hearing by the board.(30)

The county child welfare board was a major creation of the legislature of 1917 whose members realized that the state board of control, in meeting the new responsibility in regard to children which was laid upon it, needed a cooperating agency actively interested in child welfare in every county of the state.

Under its provisions, the state board of control, upon the request of the county board, appointed three residents of the county, who served without compensation and held office during the pleasure of the board, and who, together with the county superintendent of schools and a member designated by the county board from its own number, constituted a child welfare board of the county. In any county, however, containing a city of the first class, five members, instead of three, were appointed by the state board of control, making a total of seven.(31) The board was authorized to appoint a secretary and all necessary assistants. An important function of the board centered about the problem of providing support and good homes for illegitimate children. In addition to this, the board carried on the investigation of facts relative to the placement and adoption of children, to the providing of institutional care for those who were proved mentally or otherwise defective, to the applications for mothers' pensions, and to inhuman treatment of children as revealed by humane societies, children's protective leagues, and others.(32)

The office of county physician was established by the legislature in 1864, for the purpose of furnishing medical care to such indigent sick persons as required it. Such physicians were appointed by the county board for no definite period, but served at its pleasure.(33) In some counties the position was

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(30) Laws, 1937, 442-450, 466, 650-658, 688-690.
(31) Laws, 1917, 280, sec. 4; 1923, 172.
(32) Laws, 1917, 280, sec. 4; Mason's, 1927, secs. 4457-4461.
(33) General Laws, 1864, 52; General Statutes, 1878, 281.

a choice political plum; in some it was rotated among the local practitioners; while in others it was held by one man in what almost amounted to a life tenure. A legislative amendment passed in 1881 provided that the commissioners appoint as many county physicians as seemed desirable.(34) In 1889 the legislature provided that in counties where each local unit was caring for its own poor, a physician was to be appointed by the governing body of such unit under the same provisions as those relating to counties operating under the county system.(35)

Indigent relief in the territory of Minnesota was being administered under the county system when Scott County was organized in 1853. In 1858 the local unit or so-called "township" system was put into effect. Under this system, relief was supervised by the members of the county board but financed by the city, borough, village, or township in which the recipient resided. In 1864 the county system was again adopted, but a special legislative act passed in 1887 and amended in 1889 required that the city of Shakopee, the borough of Belle Plaine, the village of Jordan, the fractional village of New Prague, and the townships should each support its own needy.(36) This did not prove satisfactory, and on July 19, 1890, the county board decided to submit the relief question to the voters.(37) The result was a decision in favor of the county system. The financial burden, however, soon became too heavy for current taxation to carry, and so, authorized by the legislature,(38) the county board in January 1901 voted to issue bonds for the purpose of creating a poor fund.(39)

Scott County joined in the federal relief program in November 1933.(40) On May 11, 1934, in agreement with the State Emergency Relief Administration, the county board appointed a local relief committee, and made provisions for a salaried relief worker.(41)

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(34) General Laws, 1881, 52; Mason's, 1927, sec. 3174.
(35) General Laws, 1889, 280, sec. 5; General Statutes, 1923, sec. 3186.
(36) Special Laws, 1887, 820; 1889, 756.
(37) County Commissioners' Records, G:288, 289.
(38) Special Laws, 1891, 1059.
(39) County Commissioners' Records, G:324.
(40) Ibid., M:394.
(41) Ibid., M:463-467.

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As early as August 1858 proposals were made by the county board to acquire a farm and erect a poorhouse.(42) Although no action was then taken in the matter, records of payments made in the succeeding years for food, furniture, and repairs would indicate that a poorhouse, possibly rented, was being operated.(43) A special meeting of the board to consider the poor farm question was held on March 10, 1865. Six days later it was decided that the acquisition of property for that purpose at that time was inexpedient. The auditor was therefore instructed to advertise for bids for boarding the indigent by private individuals.(44) It would appear that one person received a blanket contract, as for some years thereafter frequent mention is made in the records of a county poor house.(45) In the meantime overseers of the poor were appointed each year. As the result of an investigation by a special committee in 1893, the board, on November 16, voted to purchase a building located in block 58, Shakopee. This building, a three story stone structure still standing, has an interesting history. Erected by the Sisters of St. Benedict in 1854, it was operated by them for many years as St. Margaret's Academy. Later it was used by St. Mark's Church as a parish house. The county used it for a poorhouse from 1894 to 1938, when it was sold to St. Mary's Association of the Sisters of St. Francis, who remodeled it as a home for the aged, caring for the former inmates and receiving new guests as well.(46)

Aid to mothers of dependent children was established in Scott County in 1917. A child welfare board was set up on July 15, 1919.(47) On January 2, 1934, the county board formulated an old age pension program in accordance with chapter 348 of the Session Laws of 1933, and for that purpose set aside a sum of money from the county poor fund. The first six applicants were interviewed on February 6, 1934.(48)

No mention of a county physician appears in the records until July 29, 1885, when Dr. John Benjamin Dunn was named to the position for one year beginning August 1, 1885, at an annual salary of $400.00. He was authorized, in case of emergency, to secure the services of one physician in Belle Plaine

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(42) County Commissioners' Records, A:278.
(43) Ibid., B:258, 259, 271, 277.
(44) Ibid., B:284, 289.
(45) Ibid., B:292, 295, 337; C:95, 219.
(46) Ibid., H:22, 88; J:90, 91; N:435, 457; St. Paul Pioneer Press, October 30, 1938.
(47) County Commissioners' Records, K:125.
(48) Ibid., M:412, 414, 435.

and one in Jordan.(49) Following the passage of the special act by which each local governmental unit was to support its own poor, the county commissioners on March 16, 1887, abolished the office of county physician.(50) After the county system was reestablished, the county board on January 6, 1892, again named Dr. Dunn to the position. On May 7, 1897, three county physicians were named and each assigned to a district.(51) At the present time medical care for the indigent in Scott County, as in the other counties of the state, is under the supervision of the county welfare board.

A county nurse was appointed by the board of county commissioners on January 6, 1920, and an appropriation made for her salary and expenses.(52)

Records of relief cases and old age assistance are kept in the relief office on the second floor of the courthouse, in the district judge's chambers, and in the dungeon vault. Child welfare board records are stored in the home of the secretary, Mrs. Adolph Schroeder, Shakopee.

Relief Agency

(See also entries 6, 121-123.)

396. ACTIVE RELIEF, 1935--. 1 file drawer.
Case papers of clients receiving relief, including application, family history sheets, financial statement, investigator's reports, record of relief granted, relief orders, and correspondence and other papers relating to case; each paper showing case number, name and address of client, and statement of facts or information concerning case. Arr. alph. by name of client. No index. Handwritten and typed, and handwritten on pr. fm. 12 x 18 x 30. Off.

397. CLOSED RELIEF CASES, September 1935--. 1 file drawer.
Case papers of closed relief cases including same type of papers as described in entry 396, with additional information as to reason for closing case. Arr. alph. by name of client. No index. Handwritten and typed, and handwritten on pr. fm. 12 x 18 x 30. Off.

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(49) County Commissioners' Records, F:386.
(50) Ibid., G:22.
(51) Ibid., H:370.
(52) Ibid., K:166.

398. DETAIL OF RELIEF COMMODITY ORDERS ISSUED, 1934-35.
3 vols.
Records of groceries, meat, clothing, rent, fuel, medicine, and dental orders, showing order number, case number, to whom issued, type of service, and date. Arr. num. by order no. No index. Handwritten under pr. heads. 200 pp. 11 x 17 x 1¼. Dungeon va.

399. WEEKLY REPORT CARD ON CLIENTS, 1934-35.
1 cardboard box.
Official record cards of relief clients, showing occupational classification, name, address, classification of relief orders received, number in family, and check and order numbers. Arr. alph. by name of client. No index. Typed on pr. fm. 5½ x 8 x 11½. Dungeon va.

400. W.P.A. CERTIFICATION, 1935-36.
2 metal file drawers.
Includes closed cases, current cases, cases waiting assignments, cases at work, and closed National Youth Administration cases. Arr. alph. by name of client. No index. Typed on pr. fm. 5 x 6 x 12. District judge's chambers, courthouse, temporary location.

401. MISCELLANEOUS RECORDS, CORRESPONDENCE, 1933-34.
1 box.
Includes notices sent by United States Department of Labor, notifying relief clients of employment, card deposited at relief office when clients accept work, statement of nature of work and scale of wages, and correspondence with local relief supervisor. Arr. by subjects, chron. by date of filing thereunder. No index. Handwritten, typed, and handwritten and typed on pr. fm. Box, 18 x 12 x 15; cards, 3½ x 5½ and 3½ x 6½. Dungeon va.

402. CORRESPONDENCE, 1934-35. 1 cardboard box.
Letters relative to relief clients, orders for work, consideration of cases from State Relief Administration, and United States Department of Labor. Arr. chron. by date of letter. No index. Typed and typed on pr. fm. 10½ x 4½ x 15. Dungeon va.

Child Welfare Board
(See also entry 309.)

403. MINUTE BOOK, 1921--. 2 vols. (A, B).
Minutes of meetings, showing date of meeting, members present, subjects discussed, business transacted, and adjournment.

Arr. chron. by date of meeting. No index. Handwritten. 260 loose-leaf pp. 8½ x 11 x 2. Secretary's home.

404. CASE FILES, 1921--. 1 file drawer.
Case histories of delinquent and illegitimate children, unmarried mothers, and dependent children, including family history sheets, school reports, orders of probate court, and investigators' reports. Arr. alph. by case name. No index. Handwritten and typed on pr. fm. 11 x 13 x 26. Secretary's home.

Old Age Assistance
(See also entries 38, 368.)

405. OLD AGE ASSISTANCE, 1936--. 2 file drawers (labeled by inclusive case nos.).
Case papers of old age assistance clients, including applications, financial statements, family history sheets, certifications of dates of birth, investigators' reports, and correspondence; one folder for each case, showing case number and name and address of client. Arr. num. by case no. No index. Handwritten and typed on pr. fm. 12 x 18 x 30. Relief off.

XV. COUNTY SURVEYOR

The office of county surveyor was established in Minnesota by territorial legislation for the purpose of providing an official to make correct surveys in connection with the registration of deeds and titles to real estate and other matters concerning land, including the laying out of roads, streets, and alleys. The act provided that a surveyor be elected in each organized county for a term of two years, and required each surveyor to take an oath and to give a bond approved by the county board. The oath and the bond, approved by the county board as to amount, are now transmitted to the register of deeds and by him recorded and forwarded to the secretary of state, who, after approval by the attorney general as to form and execution, files it in his office. The term of office was extended to four years

in 1913.(1) A vacancy is filled by appointment by the county board for the remainder of the unexpired term.(2) The surveyor is not permitted by law to hold the office of county coroner, and, according to an opinion of the attorney general, he may not hold the office of highway engineer, although he is permitted to be an assistant in that office.(3)

Under the provision of territorial and later laws, the county surveyor was required to make all surveys within the county that were ordered by the county board or other county officers or by any court.(4) Of these surveys the surveyor was required to keep a fair and correct record in a book provided by the county commissioners. These records were public and placed on file in the office of the register of deeds.(5) The surveys were numbered consecutively, and all field notes and calculations carefully presented. A copy of the survey and also a fair and accurate plat, together with a certificate of the survey, might be furnished by the surveyor to any person requiring it.

In all surveys the courses were required to be expressed according to the true meridian, and the variation of the magnetic meridian from the true meridian was expressed on the plat with the exact date of the observation. Rules for subdividing the sections and quarter-sections of the government survey were prescribed by law. If and when a quarter-section or section post was destroyed the surveyor was required to erect a new post to be fixed in accordance with government field notes. The county surveyor also surveyed certain lands sold for delinquent taxes.(6) These laws are still in force.(7) To enable surveyors to conform to the requirements of the law regarding surveys, the county board has been directed to procure and file with the

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(1) Revised Statutes, 1851, 72; Laws, 1853, 5, sec. 1; 1913, 668, amended, 1915, 233; Mason's Minnesota Statutes, 1927, secs. 936, 981.
(2) General Statutes, 1923, sec. 659.
(3) Ibid., 1923, sec. 823; Mason's, 1936 supplement, sec. 2569. Op. Atty. General, February 8, 1933; January 26, 31, 1935.
(4) Revised Statutes, 1851, 113, 114.
(5) Laws, 1919, 633, 634, ch. 480, amending General Statutes, 1913, sec. 981; General Statutes, 1923, sec. 938.
(6) Revised Statutes, 1851, 72, secs. 3, 4, 7; General Statutes, 1866, 132, 133, secs. 199-206; 184, sec. 127.
(7) Mason's, 1927, 185, 186.

register of the county certified copies of the original plats and field notes of the United States surveys.(8)

Legislation in 1857 provided for two road commissioners to be elected in each organized county for a term of one year, who, together with the county surveyor, formed a board of road commissioners to lay out and establish upon actual survey such new roads in the county as they considered necessary, and to alter or discontinue any old roads which seemed to them unnecessary. Their records were kept in the office of the register of deeds. (9) Although the law establishing the board of road commissioners was not expressly repealed, the board, nevertheless, was discontinued upon the passage of the township act in 1858, when provision was made for the overseer of highways in each township.(10)

The county surveyor, however, continued to survey the county roads, the laying out, discontinuance, alteration, and supervision of which remained the direct responsibility of the county board.(11)

Legislation in 1907 provided for the appointment by the county board for a term of two years of a competent surveyor and road builder as superintendent of highways, who might at the same time be elected county surveyor, for the purpose of laying out and superintending the construction and maintenance of all roads, bridges, and ditches.(12) This was done in Scott County on May 7, 1908.(13)

The public highway act of Minnesota passed in 1921, which created the office of county highway engineer, relieved the surveyor and any other officer charged by law with duties in connection with and supervision of road or highway work in the county and expressly directed that, except in counties of more than 225,000 population, the county highway engineer assume all such duties.(14)

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(8) General Statutes, 1866, ch. 8, title 11, sec. 204; General Laws, 1870, 103, ch. 43; Mason's, 1927, secs. 939, 940.
(9) Laws, 1857 extra session, 244, 245; Public Statutes, 1849-58, 251-255, ch. 11.
(10) General Laws, 1858, ch. 75, arts. 21-23.
(11) Revised Statutes, 1851, 112-115; General Statutes, 1866, 199, ch. 13, sec. 67.
(12) Laws, 1907, 707, 708, ch. 458, sec. 1.
(13) County Commissioners' Records, I:553.
(14) Laws, 1921, 429, ch. 323, sec. 29.

(Next entry 406, p. 257)

County boards, county auditors, and the courts, in a number of cases as provided for by law, may now employ competent surveyors other than the county surveyor to make necessary surveys.(15)

Where any tract or plot of land is divided into parcels of irregular shape, which cannot be described except by metes and bounds, the owner, upon notice from the county auditor, must have such land platted into lots, a survey being made when necessary. If the owner fails to do this within thirty days, the county surveyor, upon request of the auditor, makes such a plat from the records if practical, or, if not, from an actual survey. Copies of the plat are filed with the auditor and the register of deeds.(16)

A surveyor is required to certify that a plat made by him is a correct representation of the survey and a correct description of the land platted.(17)

The surveyor is a member of the Committee of Land Classification in each county having twenty-five percent or more of its land area delinquent for non-payment of taxes, or where twenty-five percent of its land area is owned by the state or the United States. This committee meets in the office of the county auditor upon his call as often as may be necessary. The committee cooperates with the State Land Use Committee which classifies all public and private lands in the state with reference to the use to which such lands are adapted, principally as to adaptability to the known uses of agriculture and forestry.(18)

William H. Nobles, the first surveyor of Scott County, was appointed on June 1, 1853. Thereafter surveyors were regularly elected until 1913, since which time the office has been vacant.(19)

The surveyor's records are found in the engineer's office vault on the second floor of the courthouse.

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(15) General Statutes, 1923, sec. 784 (section corners); sec. 785 (landmarks at northeast corner of congressional townships); secs. 797-807 (establishment of section lines); sec. 6274 (lands in charge of county auditor); secs. 6676-6678 (drainage); secs. 9571, 9592 (court actions regarding real property).
(16) Ibid., 1923, sec. 2219.
(17) Ibid., 1923, sec. 8238.
(18) Laws, 1933, 865-867, ch. 436.
(19) Information from county officers.

(See also entries 100, 120, 203-210.)

406. COPY OF BEARING TREE NOTES, 1857. 1 vol.
Plats of original surveys marked by tree landmarks used in early platting of territory. Arr. chron. by date of survey. No index. Handwritten and handdrawn. Condition poor. 40 pp. 11½ x 16 x ½.

407. TOWNSHIP PLATS, U. S. SURVEY OF PUBLIC LANDS, 1854-61. 1 vol.
Record of United States survey of public lands in Scott County, showing dates, names of owners of land surveyed, townships, sections, subdivisions, and roads. Arr. alph. by name of twp. No index. Handwritten and handdrawn. Condition fair. 42 pp. 16½ x 20 x ½.

408. PLAT BOOK, 1898. 1 vol.
Plats compiled from actual surveys, showing school districts, townships, cities, villages, roads, and miscellaneous items. Arr. by twps. No index. Printed. Condition poor. 50 pp. 15 x 18 x ½.

409. SECTIONAL PLAT OF COUNTY; RECORD OF SURVEY, SCOTT COUNTY, 1905-7. 1 vol. (2).
Plats of county by section, township, and range, showing farm boundaries, and names of owners. Arr. by twp., num. by section no. thereunder. No index. Handdrawn. 450 pp. 12½ x 18 x 2½.

XVI. HIGHWAY ENGINEER

The office of highway engineer is the result of the establishment of the Minnesota Trunk Highway System by constitutional amendment adopted in 1920,(1) and enacted into statute in 1921.(2) Under that statute the county highway engineer is appointed annually by the county board from a list of eligible competent highway engineers or road builders submitted by the state commissioner of highways. He performs his duties in accordance with the rules and regulations of the state highway commission, has charge of the highway work in the county and

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(1) Constitution of the State of Minnesota, art. 16.
(2) Laws, 1921, ch. 323.

of the forces employed on such work, and makes and prepares all surveys, estimates, plans, and specifications which are required of him. He files a bond in the same manner as other county officers, and must devote his entire time to his official duties.

In connection with the engineer's field work he prepares several reports, records, and estimates. Once a month, on all work, he must submit a report according to forms prescribed by the state commissioner of highways. Within thirty days after the completion of each construction job he prepares a report of the entire project. A full report of the county's highway work of each year is prepared on or before the first of January, and copies submitted to the county board and the state commissioner of highways.(3)

Prior to the time the levy for road and bridge purposes is made by the county board at its regular meeting in July, the engineer prepares and submits his recommendations for work which he considers necessary and advisable for the coming calendar year, with estimate of the cost. He is also required to prepare and submit to the board, at the same meeting, a report of all expenditures and work done since the last report and an estimate of probable expenditures for the balance of the current year.

The duties of the county engineer and of the county surveyor are entirely separate and distinct, and it has been held that (except in Ramsey County where they are permitted by statute to be merged) the offices of surveyor and highway engineer are incompatable and may not be held by the same man.(4)

At the creating of the office of county highway engineer, any other engineer or surveyor previously charged by law with duties in connection with, and the supervision of, road or highway work for the county was relieved at the expiration of his term, and the county highway engineer was expressly charged with and assumed such duties.(5)

Highway supervision, now the duty of the county highway engineer, has been handled in various ways since the creating of the territory in 1849. Territorial roads were laid out, blazed, and marked by a special commission appointed for each road.(6) The expense of laying out and establishing such roads was borne by the territorial treasury, but they were worked on by the counties through which they were laid, at such time as the

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(3) Mason's Minnesota Statutes, 1927, sec. 2569.
(4) Op. Att. Gen. Feb. 8, 1933; Jan. 26, 1935; Jan. 31, 1935.
(5) Laws, 1921, 428, 429.
(6) Laws, 1849, 83, ch. 24, sec. 2.

county commissioners should order.(7) County roads were to be laid out, discontinued, or altered by the county commissioners of the county in which the road was located. The county commissioners were also authorized to "do all other necessary acts" pertaining to road establishment or maintenance.(8)

District roads in 1851 were placed under the jurisdiction of the district road supervisor. Each election district constituted a road district, and a supervisor was elected annually in each for a term of one year.

Before taking office, the road supervisor was required to execute a bond to the county treasurer and to take his oath of office, which was filed in the office of the register of deeds. It was the duty of the road supervisor to open all public roads and highways laid out according to law and to keep them in repair; to contract for the building of bridges; to employ all persons required to labor on roads; to purchase all necessary implements for carrying out the work; to erect guide-posts at the forks of roads; to construct such drains as were necessary for the making or preservation of the road; and to make a list of all persons in his district liable by law to work on roads.

On the first Monday of July he laid before the county commissioners a statement of the number and length of the public roads within his road district, the repairs necessary on the roads including repairs of bridges, the number of persons subject to labor, labor performed, the probable number of delinquents within the road district, and the probable sum necessary over and above the labor still due to put the public roads in thorough repair. The supervisor was also the collector of road taxes which the county commissioners were authorized to levy on real estate to an amount not exceeding one-third of one percent of valuation. All moneys collected by the supervisor for taxes, fines, or other purposes, were entered, and in this or another book he kept a list of all the men in the district subject to calls for road work.

A feature of the district highway system of territorial days was the cooperation required of the citizens. Every able-bodied male person between twenty-one and fifty years of age was compelled to labor on the roads under the direction of the road supervisor at least three days each year between April and October. Each worker furnished his own team and implements. The supervisor was also empowered to require any owner of a team of horses or a yoke of oxen to furnish same with wagon,

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(7) Laws, 1849, 83, 84, ch. 24, sec. 6.
(8) Laws, 1849, 53, ch. 19, sec. 13.

cart, scraper, or plow; one day with horses or oxen to be counted as two days' service. In an emergency caused by a fallen tree obstructing a road, or by the impairment of a bridge, the supervisor could call for help at any time. A penalty of $2.00 was imposed upon any citizen who failed to do his allotted share of road work. However, a substitute could be hired, and when a man worked more than three days he was given a certificate which would be accepted from any person in the district in lieu of the amount of labor specified thereon.(9)

Legislation in 1857 provided for a board of road commissioners in each organized county, consisting of two elected commissioners and the county surveyor. The board was empowered to lay out and establish new roads, and to alter and discontinue old roads.(10)

The township act of 1858 gave the township supervisors the authority to lay out, establish, maintain, alter, or vacate township roads, and provided for a township overseer of highways whose duties were similar to those formerly performed by the road supervisors.(11) County commissioners continued to have control of county roads, which then included every state road and every continuous road passing through or into more than one organized county.(12) Counties now construct, improve, and maintain county roads, state aid roads, and county roads established by judicial proceedings, and they may aid townships in the construction and repair of their roads. County roads, except those established by judicial authority, are as in territorial days established, altered, or vacated only by the county board. (13) Township roads are under the supervision of township or district overseers who are chosen by election or appointment as the voters determine.(14)

A legislative act in 1907 permitted the board of county commissioners in counties of less than two hundred thousand inhabitants to appoint, for a term of two years, a competent surveyor and road builder as superintendent of highways, who might at the same time be elected county surveyor. Such superintendent was to survey, lay out, and superintend the construction and maintenance of all roads, bridges, and ditches.(15)

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(9) Revised Statutes, 1851, 78-82, art. 10, extended, Laws, 1855, 97, 98, ch. 32.
(10) Laws, 1857 extra session, 244-249, ch. 67; Public Statutes, 1849-58, 251-255, ch. 11.
(11) General Laws, 1858, 216-221, ch. 75, arts. 21, 22.
(12) General Statutes, 1866, 199, ch. 13, sec. 67.
(13) Laws, 1921, 428, ch. 323, secs. 1, 9-11, 42.
(14) Mason's, 1927, ch. 13, sec. 2575, as amended, Laws, 1937, 484, ch. 354, sec. 1.
(15) Laws, 1907, 707, ch. 458.

Under this and other acts providing for temporary and special employment, civil engineers were from time to time given county appointments.(16)

In Scott County Donald Childs was appointed engineer as early as 1914, but not as a county officer. He continued to serve and was appointed official county highway engineer in accordance with the highway legislation of 1921.

The records are found in the engineer's office and vault in the courthouse.

Maps and Plats
(See also entries 100, 129, 203-210.)

410. COPIES OF OLD PLATS, 1898--. 1 vol. Copied in 1935.
Copies of old plats of the county, showing townships, sections, and boundaries. Arr. alph. by name of twp., num. by section no. thereunder. No index. Handdrawn and handwritten. Approx. 100 pp. 12 x 18 x 1½. Off. va.

411. SECTIONAL PLATS OF COUNTY, 1936--. 1 vol.
Sectional plats now being made, showing townships, sections, and ranges. Arr. alph. by name of twp., num. by section no. thereunder. No index. Handwritten and handdrawn. Approx. 100 pp. 17 x 22 x 1. Off.

412. MAPS OF CITIES OF SCOTT COUNTY, 1905--. 1 vol.
Maps of Shakopee and New Prague, borough of Belle Plaine, and village of Jordan; also maps of all engineering projects, sewers, corners, hydrants, streets, and alleys. Arr. alph. by name of city or village. No index. Blueprints and handdrawn maps. Approx. 100 pp. 18 x 24 x 1½. Off. va.

413. PERSONAL MAPS OF LAND SURVEYS, SCOTT COUNTY, 1914--. 5 file drawers.
Maps and plats requested by county board relative to roads, ditches, cemeteries, and miscellaneous surveys. Various scales. Arr. chron. by date of survey. No index. Black and white and blueprint. 5 x 24 x 36. Off. va.

414. MAPS, NEW PRAGUE, approx. 1920. 3 wrapped rolls.
Maps and plats of village of New Prague, showing streets, alleys, additions, and subdivisions. No scale given. No arr. No index. Black and white and blueprint. 1 x 36. Off. va.

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(16) Laws, 1905, ch. 230; 1911, 352-354, ch. 254, partially repealed, 1915, 72, ch. 52.

415. ROAD MAPS OF GRADING AND GRAVELING AND GRAVEL PITS, 1914--. 1 vol.
Maps of roads maintained by county, showing road number, details of survey, and location of gravel pits. 1" - 2 miles. Arr. num. by road no. No index. Printed, black and white, and blueprint. Approx. 90 pp. 14 x 20 x 1. Off. va.

416. MISCELLANEOUS MAPS, 1914--. 2 file drawers.
Maps of school districts, governmental units, Minnesota water resources, and parks. 1" - 100' to 1" - 400'. Arr. by subjects. No index. Black and white and blueprint. Drawers, 4 x 40 x 40; maps, 24 x 36. Off. va.

417. SCOTT COUNTY ROAD AND BRIDGE PLANS, 1914--. 5 file drawers.
Maps of proposed road and bridge work. Made by county engineer's draftsmen. 1" - 100' to 1" - 400'. Arr. chron. by date of survey. No index. Black and white and blueprint. Drawers, 4 x 40 x 40; maps, 24 x 36. Off.

418. MISCELLANEOUS MAPS OF MINNESOTA, 1914--. Approx. 100 maps.
Maps of the Minnesota River survey, government survey, and railroad profiles. Made by county engineer's draftsmen. 1" - 100' to 1" - 400'. Arr. chron. by date of survey. No index. Black and white and blueprint. 24 x 36. Off.

419. ROAD MAPS OF COUNTY, 1914--. 4 file drawers (A-D).
Maps used to mark out mail routes, proposed roads, and highways. Made by county engineer's draftsmen. 1" - 100' to 1" - 400'. Arr. num. by road no. No index. Printed, black and white, blueprint, and shaded. Drawers, 4 x 40 x 40; maps, 18 x 24 to 30 x 36. Off.

Surveys
(See also entries 203-210.)

420. LAND SURVEY CORNERS, 1914--. 1 vol.
Record of survey of land corners, showing location, date of survey, and notes relating to establishment of corners. Arr. by sections and subdivisions. No index. Handwritten. 900 pp. 9¼ x 12 x 4. Off. va.

421. SURVEY RECORDS, LAND, 1914--. 24 vols. (A-X).
Survey notes of engineer, showing landmarks and details of survey, and definite description before blueprints are made. Arr. chron. by date of survey. No index. Handwritten. 75 pp. 4 x 6 x ½. Off. va.

422. MISCELLANEOUS REPORTS OF LAND SURVEYS, 1914--. 1 file drawer (labeled by survey nos. and twps.). Reports of miscellaneous land surveys, showing number, description of land, date of survey, by whom surveyed, and notes of surveys. Arr. alph. by name of twp., num. by survey no. thereunder. No index. Handwritten. 6½ x 6 x 20. Off. va.

423. GENERAL INFORMATION, 1914--. 1 file drawer. Descriptions of land surveys, showing location of property, area, when surveyed, and by whom surveyed. Arr. chron. by date of survey. No index. Handwritten and typed. 5 x 11 x 18. Off. va.

Construction and Maintenance
(See also entries 10-12, 109-116.)

424. ROAD JOBS, 1914--. 4 file drawers. General information on road jobs, including estimates, gravel pit reports, bids, specifications, and other papers relating to job. Arr. num. by job no. For index see entry 430. Handwritten on pr. fm. 5 x 11 x 18 to 11 x 13 x 18. Off. va.

425. ROAD CONSTRUCTION JOBS, 1914--. 10 vols. (labeled by job nos.). Title varies: Road Construction, 8 vols., 1914-22. General information on road jobs, showing kind of job, job number, date started, date completed, cost of materials and labor, construction equipment, power, patrol, tractors, grader, snow plow, engineering, bonds, and road number. Arr. num. by job no. For index see entry 430. Handwritten. 50 to 1100 pp. 8 x 13 x ½ to 10 x 13 x 5½. Off. va.

426. ROAD CONSTRUCTION JOBS, LAND, 1914--. 100 vols. (1-100). Field books containing land locations, showing job number, date, names of owners of land; also drawings, showing level of land, conditions, and general survey details. Arr. by job nos., chron. by date of entry thereunder. For index see entry 430. Handwritten. 75 pp. 4 x 6 x ½. Off. va.

427. ROAD CONSTRUCTION (C.W.A.), 1933-34. 1 vol. Record of grading, recreational, general Civil Works Administration projects, showing type of project, names of employees, and time record. Arr. chron. by date of entry. For index see entry 430. Handwritten. 800 loose-leaf pp. 10 x 12½ x 4. Off. va.

428. ROAD PETITIONS, 1881--. 2 file drawers.
Copies of petitions for roads, showing date, location, length of road, names of owners of property along proposed road, date of hearing, estimated cost, and signatures of petitioners. Arr. chron. by date of petition. No index. Handwritten. 10½ x 5 x 14. Off. va.
For prior and related records see entry 116.

429. MISCELLANEOUS ROAD CONSTRUCTION CALCULATIONS, 1914-24. 1 file drawer.
Miscellaneous road construction calculations, showing description, location, date, and by whom made. Arr. chron. by date of paper. For index see entry 430. Handwritten. 7½ x 9½ x 18. Off. va.

430. ROAD JOBS, BRIDGES, MISCELLANEOUS ROAD CONSTRUCTION, 1914--. 1 file drawer.
Serves Road Jobs, entry 424, Road Construction Jobs, entry 425, Road Construction Jobs, Land, entry 426, Road Construction (C. W. A.), entry 427, and Miscellaneous Road Construction Calculations, entry 429, showing job number, location of job, date started, and date completed. Arr. num. by job no. No index. Handwritten and typed. Drawer, 6½ x 6 x 18; cards, 4 x 6. Off. va.

431. LISTING AND MEASUREMENTS OF GRAVEL TRUCKS, 1929-35. 1 bundle.
Information on trucks used on road jobs, showing make of truck, length, clearance, capacity, and remarks on condition. Arr. chron. by date of report. No index. Handwritten. Condition fair. 5 x 8 x 1¼. Off. va.

432. MAINTENANCE REPORTS, 1936--. 2 file drawers.
Miscellaneous road reports, including patrol reports, team and truck reports, maintenance and time reports. Arr. by months, chron. by date of report thereunder. No index. Handwritten and typed on pr. fm. 6½ x 6 x 18. Off. va.

433. STATE AID ROAD MAINTENANCE REPORTS, 1934--. 1 file box.
Maintenance reports of state aid roads and construction reports, showing date, amount, location, and type of work. Arr. chron. by date of report. No index. Handwritten on pr. fm. 5 x 11 x 15. Off. va.

434. GRAVEL, 1928--. 1 file drawer.
Includes summary reports of verified claims, time reports, and reports on gravel and clay used for maintenance. Arr. chron. by date of report. No index. Handwritten on pr. fm. 7½ x 9½ x 18. Off. va.

435. SNOW PLOWING SHEETS, 1936--. 1 file drawer.
Reports by operators of snow plows, showing place, date, name of worker, time spent on job, and area covered. Arr. chron. by date of report. No index. Handwritten on pr. fm. 6½ x 6 x 10. Off. va.

436. MAINTENANCE, ROAD CONSTRUCTION, 1917--. 1 vol.
Record of orders for snow fence equipment and construction, showing location, length, date, place, and by whom ordered. Arr. chron. by date of entry. No index. Handwritten under pr. heads. 225 loose-leaf pp. 9¼ x 12 x 1¼. Off. va.

437. MISCELLANEOUS FILE DRAWERS, 1914--. 2 file drawers.
Reports on maintenance, cost, work, machinery, and employees; also correspondence, snow plow time sheets, and bids. Arr. alph. by name of twp., chron. by date of paper thereunder. No index. Handwritten and typed on pr. fm. 6 x 5 x 15½ and 11 x 13 x 27. Off. va.

General Accounting

438. ACCOUNTING MAINTENANCE, 1931--. 1 vol.
Financial record of motor patrol, grading, and gravel jobs, showing date, name and address of worker, time, place, and total amount. Arr. chron. by date of entry. No index. Handwritten. Approx. 200 loose-leaf pp. 12½ x 13 x 1. Off. va.

439. BILLS, 1926--. 1 vol. (labeled by job nos.).
Detailed record of road jobs, showing job number, date started and completed, cost of labor and materials, time required for completion, and names of contractors. Arr. num. by job no. No index. Handwritten on pr. fm. 408 pp. 9¼ x 12 x 2. Off. va.

440. BILLS, 1937--. 1 file drawer.
Correspondence on bills; time sheets, showing date, name, hours worked, rate of pay, and total amount paid. Arr. chron. by date of paper. No index. Handwritten and typed. 7 x 10½ x 16. Off. va.

441. COPIES OF TIME CHECKS, VERIFIED CLAIMS, 1929--.
1 file drawer.
Time checks and verified claims for salaries, showing list of employees' names, hours worked, date, and salary. Arr. by months, chron. by date of paper thereunder. No index. Handwritten and typed on pr. fm. 5½ x 9½ x 15. Off. va.

442. TIME SHEETS, 1925--. 11 vols.
Original time sheets of workers on road construction, showing date, name, time worked, rate of pay, and total. Arr. by months. No index. Handwritten. 900 pp. 10 x 13 x 4½. Off. va.

443. C.W.A. TIME SHEETS, 1934. 1 file drawer (labeled by job nos.).
Time reports of Civil Works Administration projects, showing job number, name and address, date, hours worked, place, rate of pay, and total amount earned. Arr. num. by job no. No index. Handwritten and typed on pr. fm. 7½ x 9½ x 18. Off.

Miscellany

444. MISCELLANEOUS, 1914--. 1 file drawer.
Engineer's reports on ditches, surveys, and state road from Bloomington Ferry to Belle Plaine. Arr. by subjects. No index. Handwritten on pr. fm. 5 x 11 x 18. Off. va.

445. MEMOS AND ORDERS, 1936--. 1 file drawer.
Copies of purchase orders, showing date, to whom issued, description of items purchased, unit price, extensions and total; also includes correspondence relating to purchases. Arr. alph. by name of vendor or correspondent. No index. Handwritten and typed. 7½ x 9½ x 18. Off. va.

446. MISCELLANEOUS RECORD, 1930--. 11 vols.
List of all landowners in the various townships in Scott County, showing name and address; also includes daily weather reports. Arr. alph. by name of landowner. No index. Handwritten. 100 pp. 9½ x 11 x ½. Off.

447. FEDERAL PROJECTS, 1934--. 1 file drawer.
Papers relative to federal projects carried on in Scott County, such as National Reemployment Service, Civil Works Administration, National Recovery Administration, Emergency Relief Administration, Public Works Administration, and Works Progress Administration. Arr. by type of project, chron. by date of paper thereunder. No index. Typed on pr. fm. 11 x 13 x 25. Off. va.

Correspondence

448. CORRESPONDENCE, 1921--. 1 file drawer.
Letters relative to maintenance and machinery used in county. Arr. alph. by name of correspondent. No index. Handwritten and typed. 7 x 10 x 15½. Off.

449. CORRESPONDENCE, 1926--. 1 file drawer.
Letters with county board relative to accidents, accounting, road petitions, and miscellaneous projects. Arr. by subjects, chron. by date of paper thereunder. No index. Handwritten and typed. 10½ x 14½ x 25. Off.

XVII. AGRICULTURAL AGENT

The increasing importance of Minnesota agriculture following the turn of the century resulted in 1913 in the establishment of two separate agricultural activities which are now largely interdependent.

Each county which agreed to hire a county agricultural agent, approved by the dean of the department of agriculture of the University of Minnesota, and to finance such an office for at least two years, to the amount of $1,000 a year, the state, to the extent of an appropriation of $60,000 cooperating with the United States Department of Agriculture, agreed to assist by contributing up to $1,000 annually. The legislative act making the appropriation was approved April 25, 1913.(1)

A few days later an act was passed authorizing the organizing of county farm bureaus. The purpose of such bureaus as expressed in the act were "to develop and foster the agricultural, social, and commercial interests of the citizens of the county in which they are organized by the creation and development of cordial and friendly relations between the residents of the urban and rural districts thereof; by encouraging and aiding the organization of social and business clubs within the various villages, towns, and school districts of the county; by cooperating with the department of agriculture of the United States and the colleges of agriculture of the state of Minnesota in carrying out the plans and purposes of said department and said colleges in improving the social and business interests of persons engaged in agriculture, and by such other means as may be deemed advisable."(2)

The farm bureau and the county agent's office each continued its work separately, even though with a common purpose, until an

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(1) Laws, 1913, 376, 377, ch. 376.
(2) Laws, 1913, 756, ch. 519.

act of 1923 consolidated the separate laws pertaining to each into one act for the purpose of coordinating the work of the federal government, the state, the county, and the Division of Agricultural Extension of the University of Minnesota, in the maintenance of county cooperative extension work in agriculture and home economics.(3)

No county is legally authorized to appoint an agricultural agent before it has an incorporated farm bureau. The farm bureau, however, is not a unit of county government. It is a private, non-profit corporation. The certificate of incorporation of the farm bureau association is filed for record in the usual form with the register of deeds.(4)

The bureau, to be accepted as a cooperating agency in the promotion of county cooperative extension work, must have a membership of one-third of the number of farmers in the county, provided that not more than 200 members be required. It must also have two hundred dollars available for use for maintaining its organization, proof of which must be furnished annually to the dean of the department of agriculture of the University of Minnesota. As a further requirement, the farm bureau association must have elected a county farm bureau executive committee, consisting of a president, vice-president, secretary-treasurer, and other members as provided by its bylaws.(5)

In addition to the farm bureau executive committee the county also has a cooperative extension committee, sometimes known as the county extension budget committee, consisting of seven members, of whom two are members of the board of county commissioners, including the chairman and one other selected by that board, the executive committee of the county farm bureau association and one additional member selected by that committee, together with the county auditor who is secretary of the extension committee, and who, according to the law, is required to keep a record of its proceedings. The auditor's duties as record keeper and secretary of the budget committee are performed by the agricultural agent who sends a monthly report to the auditor.

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(3) Laws, 1923, 629-632, ch. 423.
(4) Incorporated under provisions of section 3102 of Revised Laws, 1905, 614, and amendatory and supplementary acts; Laws, 1913, 756; General Statutes, 1913, sec. 6185; Laws, 1919, 501, 502; 1921, 155, 156, amends the articles of incorporation and repeals chapter 427 of Laws, 1919; Mason's Minnesota Statutes, 1936 supplement, secs. 6085, 6086, gives Attorney General's opinion on amendments to articles of incorporation.
(5) Laws, 1923, 629, ch. 423, sec. 3.

The auditor, however, is responsible for the performance of this work. Each year in July the extension committee must prepare a budget showing in detail an estimate of the amount of money necessary for the successful carrying out of its program during the following year. From the total, the various outside aids available are deducted. By resolution the committee then recommends that the county appropriate the difference required to make up the estimated amount.

The auditor presents a copy of this budget to the county board which is authorized to incur expense and expend money for such work. The appropriation is made from the general revenue fund of the county and may be included in the annual county tax levy. Copies of the resolutions appropriating extension funds are forwarded by the auditor to the dean of the College of Agriculture of the University of Minnesota, who is responsible for the proper expenditure of all agricultural extension appropriations made by the county, state, or federal government. Upon his order payments are made from the extension fund for salaries of the county agent and employees and for other expenses of the program. The expenditure is audited and signed by the county auditor and the secretary of the county farm bureau association.(6)

State aid to the agricultural extension program is provided under the Laws of 1913. Federal aid is authorized by the Smith-Lever Act, passed by Congress in 1914,(7) and increased by the Bankhead-Jones Act, passed in 1933.(8)

The executive committee of the county farm bureau association is authorized to formulate annually a program of work in agriculture and home economics in cooperation with the agricultural extension division of the University of Minnesota and the United States Department of Agriculture. It is the county agricultural agent who puts this program into motion. The agent is appointed for a term of one year by the executive committee of the farm bureau association and the county cooperative extension committee acting with the dean of the department of agriculture of the University of Minnesota, or his representative, who must approve the selection of the agent.(9) It is the duty of the members of the county committee to encourage individuals and organizations to make profitable use of cooperative extension activities. The county agent gives aid and

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(6) Laws, 1923, 630, 631, secs. 4, 5, 7.
(7) U. S. Statutes at Large, 38, part 1, 372-374.
(8) U. S. Statutes at Large, 47, part 1, 1436, ch. 203; 48, part 1, 471, ch. 89.
(9) Laws, 1923, 631, sec. 6.

advice to all residents of the county when called upon, when the object is the advancement of agricultural and home economic interests.(10)

The agent's duties include the organizing of 4-H clubs for boys and girls, and other clubs and projects for the development of the agricultural, social, and commercial interests of the citizens of the county. The 4-H clubs were created by federal legislation and receive aid from federal appropriations administered through the farm bureau. Such clubs were first organized in Scott County in 1924.

The farm bureau and the county agent also take active interest in the county fairs, for which appropriations by the county are authorized by law. Before the establishment of the office of county agent and the organization of the farm bureau, the county agricultural fair was controlled and managed by the county agricultural society, which, although a private corporation, was entitled upon approval of the county board to receive a sum from county funds for the upkeep of the fair grounds.(11) County fairs are held annually at Shakopee.

The county board has been authorized since 1907 to appropriate a sum out of the general revenue fund for the purpose of assisting in the maintenance of an exhibit of products of the county at the state fair. The 4-H clubs, the county agent, and the farm bureau organize and manage the display of exhibits at the county and state fairs.(12)

The first appropriation for an agricultural agent in Scott County was made by the county commissioners on February 2, 1918. (13) The first agent, Wallace Miller, was appointed in May 1918 and has continued to serve to the present time.

The records are found in the agent's office in the city hall at Jordan.

450. INFORMATION, 1918--. 4 file drawers.
Reports and bulletins relative to crops, seeds, poultry, tuberculosis tests, home demonstration departments, and farm bureau

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(10) Laws, 1923, 631, sec. 7.
(11) Laws, 1917, 223, ch. 139, sec. 1; 1921, 221, ch. 99; General Statutes, 1923, secs. 668, 733.
(12) Laws, 1907, 111, 112, ch. 99, sec. 1, amended, 1909, 28, ch. 26, sec. 1; 1917, 223, 224, ch. 139, sec. 1.
(13) County Commissioners' Records, K:15.

membership; also includes minutes of farm bureau meetings. Arr. alph. by subjects, chron. by date of paper thereunder. No index. Handwritten and typed on pr. fm. 11½ x 13½ x 26¼.

451. PERMANENT RECORD CARDS, FARM BUREAU, 1918--. 1 file box.
Record of farm bureau members, showing name of member, township, address, number, and list of projects in which member is active; also includes list of prospective members, showing name and address of each member. Arr. alph. by name of member. No index. Handwritten and typed on pr. fm. 5 x 6 x 11¼.

452. CASH BOOK, 1930--. 2 vols.
Daily record of receipts and disbursements of farm bureau association, showing date, source, and amounts of receipts, items of disbursements, to whom paid, amounts, totals, and balance on hand. Arr. chron. by date of entry. No index. Handwritten. 150 pp. 14 x 9 x 1½.
For related records see entry 170.

453. CASH SALES, 1933--. 2 vols. Title varies: Journal (Seed Book), 1 vol., 1933-34.
Record of purchases and resales of seed grain by farm bureau, showing kind of grain, date, order number, amount purchased, total cost, to whom sold, date, number of bushels, amount, total of all sales, and balance on hand. Arr. chron. by date of entry. No index. Handwritten. 125 pp. 8½ x 11¼ x 1.

454. ANNUAL REPORTS, 1923--. 1 file drawer.
An annual summary of all activities of the farm bureau, showing goal and results for the year, agricultural projects, and 4-H club work. Arr. by years. No index. Typed. 11 x 13 x 26.
For related records see entry 173.

455. MONTHLY REPORTS, 1918-35. 1 file drawer.
Monthly summary of activities of county agent, including report on forage and legume crops, poultry, livestock, marketing, 4-H club work, and other activities. Arr. chron. by date of report. No index. Typed. 11 x 13 x 26.

456. MINUTE BOOK OF FARM BUREAU ASSOCIATION, 1921--. 1 vol.
Proceedings of the annual, regular, and special meetings of the association, showing date, members present, topics discussed, business transacted, and adjournment. Arr. chron. by date of entry. No index. Handwritten and typed. 100 pp. 11½ x 9½ x 1.

457. CHECK STUBS (FARM BUREAU), 1927--. 2 vols.
Stub record of checks issued for expenses, transportation, parades, floats, and seeds, showing date, to whom issued, amount, and purpose. Arr. chron. by date of issue. No index. Handwritten on pr. fm. Condition of binding poor. 350 pp. 10 x 12½ x 1¼.

458. FARM BUREAU RECEIPTED BILLS, 1918--. 1 file drawer.
Original receipted bills for farm bureau expenses, showing date, from whom purchased, type of purchase or service, amount, and date paid. Arr. chron. by date of bill. No index. Handwritten on pr. fm. Condition fair. 5 x 10 x 18.

459. BOYS' AND GIRLS' CLUB WORK, GENERAL INFORMATION, 1931--. 1 file drawer.
Correspondence relating to 4-H clubs, camps, fairs, and various projects. Arr. by subjects, chron. by date of letter thereunder. No index. Handwritten and typed. 11½ x 13½ x 26½.

460. 4-H ENROLLMENT, 1931--. 5 file drawers.
4-H club membership record, showing name, date of birth, address, names of parents, year enrolled, number of years in club, names of projects in which member is active, accomplishments, and outstanding activities. Arr. alph. by name of member. No index. Handwritten on pr. fm. Drawers, 5 x 7 x 17; cards, 4 x 6.

461. TRANSFER FILE, 1918-36. 4 file drawers.
Correspondence and papers relating to crops, corn husking, farm accounts, corn tests, dynamite, fairs, farm bureau, and budget. Arr. by subjects, alph. by name of correspondent thereunder. No index. Handwritten and typed. 11 x 13 x 26.

462. GENERAL CORRESPONDENCE, 1930--. 2 file drawers.
Letters and bulletins relative to Bang's disease, 4-H club work, droughts, farm bureau, financial matters, home projects, rehabilitation, and reports. Arr. by subjects. No index. Handwritten and typed. 11½ x 13½ x 26½.

LIST OF COUNTY OFFICIALS

Board of County Commissioners

Thomas S. Turner, 1853
Comfort Barnes, 1853-54
Franklin Wasson, 1853-56
Samuel Apgar, 1854-56
James B. Wakefield, 1855-56
A. D. Woodruff, 1856
John Burnham, August 1856-57
James C. Wilson, 1856-July 1858
B. F. Spaulding, 1857-July 1858
Arnold Graffenstatt, Jan.-July 1858

Board of Supervisors

Robert Kennedy, 1858
Peter Yost, 1858
Charles L. Sly, 1858
John Dorman, 1858
Thomas Quill, 1858
Michael Ragan, 1858
J. W. Sencerbox, 1858
D. C. Fix, 1858
L. B. Campbell, 1858
Charles Lord, 1858-60
Peter Schreiner, 1858-60
Charles P. Brown, 1858-60
S. B. Strait, 1858-60
J. A. Ashley, 1858-60
L. A. Hooper, 1859-60
L. O. Field, 1859-60
James Keleher, 1859-60
Benjamin Adams, 1859-60
P. Condon, 1859-60
W. W. Bragdon, 1859-60
Valentine Reis, 1859-60
John Kennedy, 1859-60
Hugh Johnson, 1859-60
H. McQuestion, 1859-60
J. M. Kerlinger, 1859-60
J. H. Brown, 1859-60
Valentine Reis, Jr., Oct. 1859-60
J. Smail, Jan.-June 1860

Board of County Commissioners

James Kilduff, 1860
M. Phelan, 1860
C. W. Pewtherer, 1860
J. C. Sommerville, 1860
H. H. Strunk, 1860
H. W. Stone, 1861
George Daly, 1861
James Burns, 1861
Martin Whalen, 1861
James B. Sly, 1861-62
Peter Rader, 1862-63
Herman Strunk, 1862-63
Louis R. Hawkins, 1862-64
John White, 1862-64
John Sommerville, 1864-Nov. 1864
Thomas Ferry, 1863-68
Otto Seifert, 1864-66
R. M. Wright, 1864-66
Joseph Hubbard, 1865-July 1866
John Reardon, 1865-67
Lawrence Carr, July 1866-67
D. O'Keefe, 1867
G. W. Gellenbeck, 1867-72
Charles Kennefick, 1868-70
J. J. Ring, 1868-Nov. 1873
F. J. Whitlock, 1869-71

List of County Officials

Peter Rader, 1870-72
Martin Mariman, 1871-73
John Lenz, 1872-80
Frank McGrade, 1873-75
Edward Jordan, Nov. 1873-76
Otto Seifert, 1873-81
George W. Sulten, 1874-76
Wm. Hamilton, 1876-78
Martin Mariman, 1877-79
Peter J. Boltes, 1877-86
David S. How, 1879-84
Michael McMahon, 1880-82
Peter Mattice, 1881-83
Mathias Nachbar, 1882-84
Peter Coyne, 1883-94
Martin Kelleher, 1884-96
Timothy Duffy, 1885-88
John W. Callender, 1885-90
Patrick Eagen, 1887-96
Henry Brueggemann, 1889-96
Casper Roderig, 1891-1909
Thomas Hyland, 1895-98
John Mahoney, 1897-1900
Henry Spellman, 1897-1907
Joseph Ring, 1897-1908
John Deegan, 1899-1902
P. Bills, Jr., 1901-May 1911
Michael Nash, 1903-10
H. Lenzmeier, 1907-20
M. J. Lannon, 1909
Michael Geis, 1909-18
Joseph Ring, 1910-12
E. A. Meyer, 1911-14
Joseph P. Baier, 1911-20
M. J. Lannon, 1913-20
James Kennefick, 1915-18
Jos. Deustermann, 1919-22
Otto Mueller, 1919-34
F. B. Schmitz, 1921-28
William Witt, 1921-32
Peter Ploumen, 1921--
Fred J. Bohnsack, 1923-34
A. J. Mahowold, 1929-36
Charles Bowler, 1933-36
Frank Marxen, 1935--
James J. Ryan, 1935--
R. H. Kaufenberg, 1937--
Peter Neisen, 1937--

Auditor

Charles Harkens, 1858-Nov. 1860
J. W. Sencerbox, Nov. 1860-61
J. R. Ashley, 1861-62
J. W. Sencerbox, 1863-64
M. Hess Durrand, 1865-68
J. M. Mayer, 1869-77
Thomas Haas, 1877-81
Mathias Mayer, 1881-87
Henry C. Koerner, 1887-99
John H. Moore, 1899-1912
A. J. Mayer, 1913-17
Thomas H. Walsh, 1918-25
A. J. Mayer, 1926-30
Thomas H. Walsh, 1930--

Register of Deeds

W. H. Nobles, 1853-54
E. A. Greenleaf, 1854-56
H. Clarke, 1856-58
J. R. Hinds, Jan.-Sept. 1858
J. W. Sencerbox, Sept. 1858-59
Charles Harkens, 1859-68
Frank McGrade, 1868-70
Herman Baumhager, 1870-78
Gerhard Hilgers, 1878-91
Joseph Harouka, 1891-97
C. J. Delougherty, 1897-1909
R. G. Ballinger, 1909-35
Theodore Dahlgren, 1935--

List of County Officials

Clerk of the District Court

E. A. Greenleaf, 1853-57
Robert A. Irwin, 1857-62
J. W. Sencerbox, 1862-66
I. M. Mayer, 1866-70
D. W. Coulthard, 1870-74
Thomas Haas, 1874-76
M. K. Mariman, 1876-82
Julius A. Coller, 1882-90
William F. Witt, 1890-1908
W. F. Duffy, 1908-20
Joseph Witt, 1920-Oct. 1930
Georgia B. Witt(completed term)
Hugo Hentges, 1930--

Judge of Probate

Daniel Apgar, 1853-56
L. M. Brown, 1856-57
F. J. Whitlock, 1858-60
John L. McDonald, 1861-63
Henry Hinds, 1864-67
Lewis R. Hawkins, 1868-70
John Daly, 1870-74
William Wilson, 1875-79
Nicholas Meyer, 1880-1929
Joseph L. Hilgers, 1929-30
F. J. Connolly, 1930--

Court Commissioner

F. J. Whitlock, 1858-60
L. M. Brown, 1860
H. H. Listerman, 1893-95
Nicholas Meyer, 1895-1929

Coroner

Daniel Apgar, 1856-60
Sanford A. Hooper, 1860
Herman Venevitz, 1861-66
Dominic McDermott, 1866-67
H. H. Strunk, 1868
Dominic McDermott, 1869-70
J. B. Sly, 1870-71
Edward G. Halle, 1872-74
Charles Bornarth, 1875-77
Charles M. Hooper, 1878-79
Dick Van Krenelin, 1880-Nov. 1880
Charles Lord, Nov. 1880-July 1881
James McKown, July 1881-82
Alois Hirscher, 1883-86
Peter V. Phillipp, 1887-88
Alois Hirscher, 1889-1914
Dr. H. W. Reiter, 1915-25
Alois Hirscher, 1926-27
Dr. H. W. Reiter, 1928--

List of County Officials

Sheriff

Ai G. Apgar, 1853-57
George H. Phillips, 1857-61
F. M. McGrade, 1861-67
Jacob Thomas, 1867-74
Dennis Flaherty, 1874-80
Theodore Weiland, 1880-91
Peter Hilgers, 1891-1901
Frank Wagner, 1901-9
Charles M. Kopp, 1909-23
Joseph Weekman, 1923-31
Arthur F. Mesenbrink, 1931--

County Attorney

Luther M. Brown, 1854-March 1855
J. M. Holland, 1855-57
Henry Hinds, 1857-58
J. David, 1859-60
John H. Brown, 1861-62
J. L. McDonald, 1863
L. L. Baxter, 1863-64
Friend J. Whitlock, 1865-66
J. L. McDonald, 1867-68
John H. Brown, 1869-70
Henry Hinds, 1871-72
Friend J. Whitlock, 1873-74
William H. Koser, 1875-76
H. J. Peck, 1877-80
Thomas H. Taylor, Jan-Mar. 1881
Eli Southworth, Mar. 1881-83
James McHale, 1883-90
Julius Coller, 1891-95
Charles G. Hinds, 1895-98
W. W. Southworth, 1899-1902
F. J. Leonard, 1903-10
W. W. Southworth, 1911-12
George F. Sullivan, 1913-23
Joseph L. Hilgers, 1924-26
John A. Duffy, 1927
Harry A. Irwin, 1927--

Treasurer

H. H. Spencer, 1853-July 1854
Benjamin F. Davis, July 1854-1856
Spier Spencer, 1856-Feb. 1857
N. McMullen, 1858-60
J. Edert, 1860-73
John. J. Ring, 1874-Dec. 1877
Peter Yost, Dec. 1877-78
J. J. Ring, 1878-Nov. 1879
J. W. Sencerbox, Nov.-Dec. 1879
J. J. Ring, 1880-June 1880
Herman Baumhager, June 1880-Jan. 1881
Roderick O'Dowd, Jan.-Nov. 1881
William Wilson, Nov. 1881-83
James Sullivan, 1884-96
Frank Huber, 1897-1927
Henry Grosser, 1927--

Superintendent of Schools

Peter Rader, 1863-64
William Henry, 1864-Aug. 1865
J. L. McDonald, Sept. 1865-Sept. 1866

List of County Officials
Superintendent of Schools (continued)

William Henry and J. L. McDonald both served, Sept. 1866-Sept. 1867
J. L. McDonald, Sept. 1867-Jan. 1868
L. R. Hawkins, Mar. 1869-70
Patrick O'Flynn, 1870-75
John Reardon, 1876-77
James McHale, 1878-86
Martin M. Shields, 1866-?
H. J. Fitzpatrick, 1895-1909
T. J. Nickolay, 1910-16
H. J. Fitzpatrick, 1920-31
T. J. Nickolay, 1931-34
Jerome C. Bednar, 1934--

Surveyor

William H. Nobles, 1853-54
John O'Fallon, 1855
Edward B. Hood, 1855
William H. Stodder, 1856-Oct. 1856
Edw. B. Hood (completed term)
Charles Harkens, 1856-Dec. 1858
C. T. Brown, Dec. 1858-Apr. 1859
Andrew W. Adams, Apr. 1859-60
J. David Ruttle, 1860-62
William A. Fuller, 1862-July 1881
H. J. Chevre, 1881-84
John Y. Hooper, 1885-87
D. B. Cannon, 1887-92
Geo. H. Hutton, 1893-95
Vine D. Simar, 1895-1902
John Hilgers, 1903-8
J. J. Davy, May 1908-9
S. B. Soule, 1909-10
H. J. Hoard, 1911-12
Francis McNamara, 1912-13
J. E. Hill, 1913-14

Highway Engineer

Donald Childs, 1914--

Agricultural Agent

Wallace W. Miller, 1918--

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